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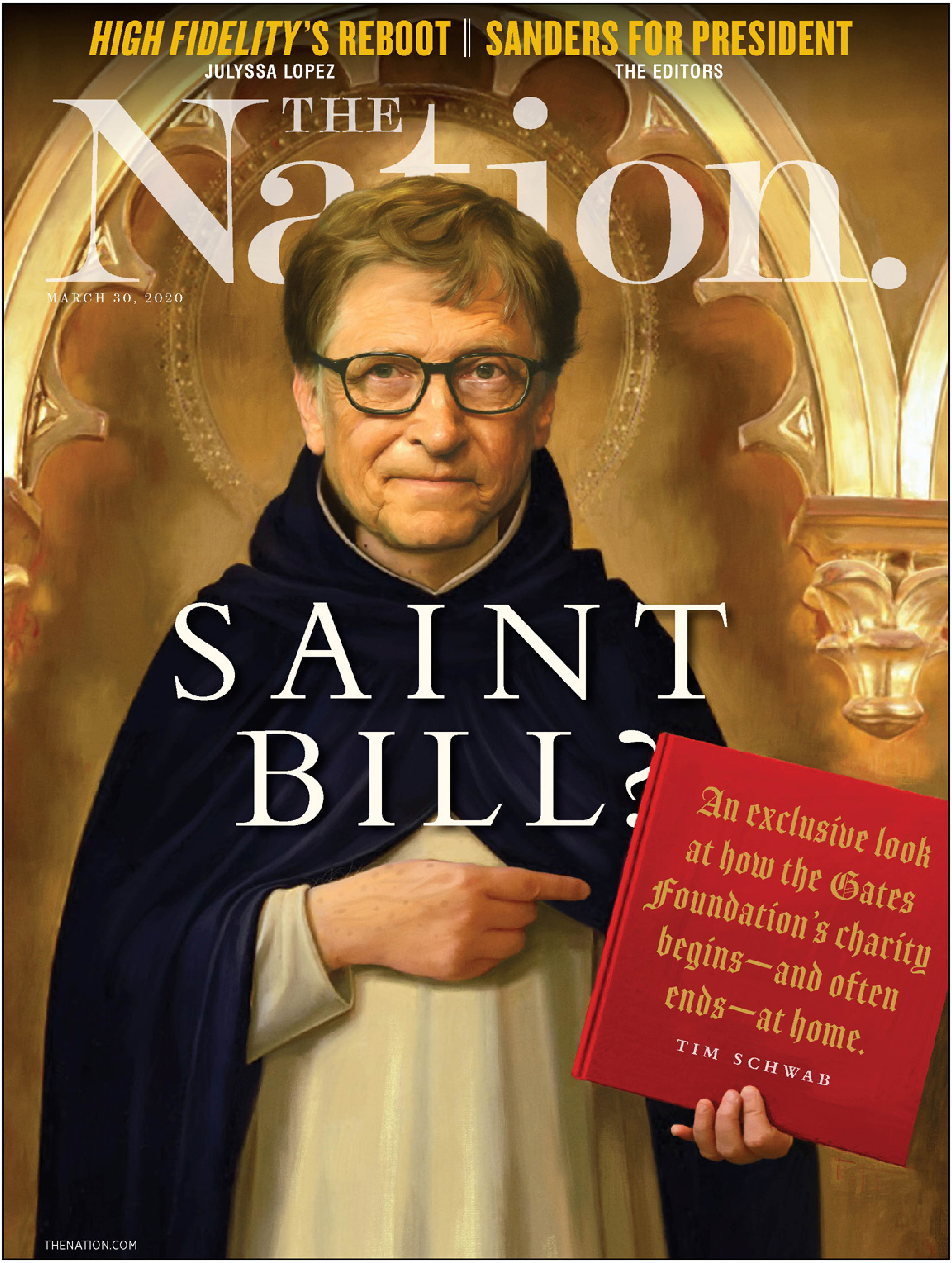
***HIGH FIDELITY'S* REBOOT** | **SANDERS FOR PRESIDENT**

JULYSSA LOPEZ | THE EDITORS

THE Nation.

MARCH 30, 2020



SAINT BILL?

An exclusive look at how the Gates Foundation's charity begins—and often ends—at home.

TIM SCHWAB

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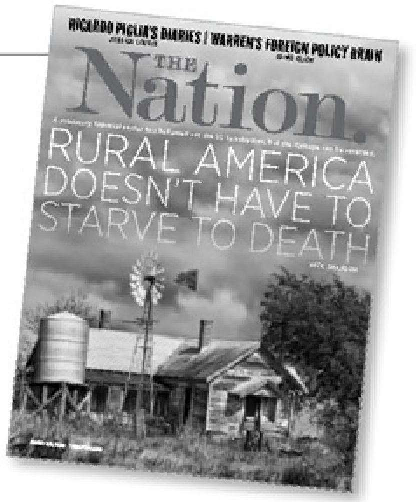
RICARDO PIGLIA'S DIARIES / WARREN'S FOREIGN POLICY BRAIN

THE Nation.

RURAL AMERICA DOESN'T HAVE TO STARVE TO DEATH

A Deeply Rooted Story

This is just a short note to say thank you for Zoë Carpenter's article "The Standing of Trees" [March 2/9], about Richard Powers and his book *The Overstory*. As an amateur botanist, I was particularly delighted. The article made my day (and week). Plus, I was thrilled to learn the good news that Powers is working on another book.

Elizabeth Pullman
austin, tex.

The Iowa Debacle

Democratic Party leaders and organizers should all read the late Jeffrey Cox's editorial "Iowa Was Just the Start" in the March 2/9 issue of *The Nation*. Then they should think about it—and read it again.

The debacle of the Iowa caucuses was much more than an embarrassment. It was a snapshot of how dysfunctional the leadership of the current Democratic Party is. And it illustrated just how far the party lags the Trump campaign in preparing for the 2020 election. It is time for the Democrats to unite around a clear understanding of who they are really fighting against and to act together to mount a successful campaign.

Will Keller
mesa, ariz.

The Forgotten Foreign Policy

Reading David Klion's article "The Woman Behind Elizabeth Warren's Foreign Policy" [March 2/9] made me realize how little discussion there has been during the current presidential race of US policy toward Latin America (and how little foreign policy there is in our political discourse in general). It is only when a country runs afoul of Washington and is then punished with onerous sanctions or threats of invasion that it's deemed worthy of mention, often in one-sided screeds that are more propaganda than useful information. The uninformed public never makes the connection between the asylum seekers at our southwestern border and our catastrophic Central American policies.

Nevertheless, since the turn of the 20th century, this country's constant interference in the internal affairs of the nations south of the Rio Grande has kept them in a subservient role, creating the opportunity for bloody right-wing dictatorial regimes, corruption, and the perpetuation of rule by wealthy elites. Many attempts to introduce progressive economic policies in Latin America have resulted in coups d'état. And both Democratic and Republican administrations have been implicated.

Some of the candidates in our current presidential campaign are advocating progressive political and economic changes, and that is a good thing. However, I am not sure they include the rest of the hemisphere in their equation, thereby missing an opportunity to end a supreme injustice.

Ada Bello
philadelphia

They've Crossed a Line

I was sickened and outraged to read Morley Musick's article "Meet the Boy Scouts of the Border Patrol" [February 3]. "The age-old games of cowboys and Indians or cops and robbers have simply been harnessed for a modern, state-run, militarized equivalent: border guards and immigrants," he writes. I guess it shouldn't surprise me that someone came up with the idea to recruit young people into the Border Patrol's ranks by putting a patriotic stamp on it. What does surprise me is that some of the recruits are first-generation immigrants themselves.

Debra-Lou Hoffmann
forest ranch, calif.

letters@thenation.com

The Nation.
since 1865

Sanders for President

If Bernie Sanders had simply demonstrated that it is possible to wage a competitive campaign for the presidency without relying on wealthy donors, corporate funders, or secretive PAC money, he would have earned his place in history. If all Sanders had to show for his two campaigns for the presidency was the greatest leftward shift in the political discourse since Franklin Delano Roosevelt's second term—putting not just Medicare for All but also the Green New Deal, free public higher education, fair taxation, cancellation of student debt, housing as a human right, universal free child care, and an unwavering critique of the billionaire class firmly onto the political agenda—we would owe him our gratitude.

If his contribution to the debate on foreign policy never went beyond refusing to endorse trade deals that harm workers, denouncing America's endless wars, reasserting Congress's control over presidential adventurism, reminding Americans that many of those crossing our borders fled dictators sustained by Washington, and maintaining his long-standing rejection of authoritarianism at home and abroad, we would still recognize Sanders as a prophetic figure.

But he has accomplished much, much more. Bernie Sanders—a Jewish grandfather with an indelible Brooklyn accent—remains very much a contender for the Democratic presidential nomination. He got there by forging a movement campaign that has already expanded our understanding of what can be achieved in the electoral arena and that invites us to imagine that government of, by, and for the people might actually be possible.

The movement Sanders has helped to build—a multiracial, multiethnic movement of working-class women and men, people of all ages, all faiths, gay, straight, and trans, coming together to demand justice and redeem the endlessly deferred promise of America—deserves our enthusiastic support. Most crucially at this point in the 2020 campaign, this movement and this candidate deserve our votes.

A great deal has changed since we first supported Sanders's candidacy in 2016. We now have a right-wing demagogue in the Oval Office, a man credibly accused of sexual assault on the Supreme Court, an administration staffed with sycophants and corporate lackeys. We've watched with dismay as congressional Democratic leaders pursued a narrow—and futile—quest for impeachment while failing to prevent immigrant children from being torn from the arms of their parents and put in cages. We witnessed the daily spectacle of an administration that scorns science as the planet burns.

Yet when we look beyond the corridors of power, we cannot despair. Not while we're also in the middle of a long season of revolt. In the United States and beyond, people are rising up together to demand an end to corruption and the politics of divide and rule. Sanders has made this global outcry a part of his 2020 campaign. He has gathered his forces and moved against America's oligarchy, and this time he's had company—and competition.

Elizabeth Warren brought many strengths to her campaign: a keen analytical mind, bold policy vision, great personal warmth, and a laser focus on America's slide into corporate corruption. And though—whether because of sexism or her own strategic missteps or both—Warren has now ended her candidacy, her efficient puncturing of Michael Bloomberg's pretensions leaves all of us in her debt. And her departure simplifies our choice.

We still believe that Joe Biden would be a uniquely weak challenger to Trump, forfeiting the high ground on corruption, the Iraq War, and even #MeToo issues while being forced to defend his record on mass incarceration, bankruptcy revision, and his coziness with credit card companies and the banks.

Fortunately, thanks to the movement that has lifted him up, Sanders offers an alternative that is more than merely credible. Sanders 2020 is possible—and with it the promise of a different future. He won the most votes in Iowa, the most votes and delegates in New Hampshire, and commanding victories in

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VOLUME 310, NUMBER 9,
MARCH 30, 2020

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Cover illustration: Jason Seiler

Nevada (the most representative, diverse electorate of the early states) and California across divisions of race, class, and language. Though his second-place finish in South Carolina indicates he still has work to do with African American voters, even after Super Tuesday—a bad day for the campaign made worse by late results from California and the media narrative of Biden's resurrection—national polls still show Sanders beating Trump in every head-to-head matchup. Although it has been slow to materialize, the expanded electorate at the heart of the Sanders strategy could still produce a sweeping victory for his presidential campaign and congressional Democrats this fall.

Because even as the corporate media ignores his achievements, denigrates his chances, and magnifies his every misstep, Sanders has two unique sources of strength. The first is his consistency. Biden has to lie about getting arrested in support of South Africa's black freedom struggle. Sanders was actually getting arrested in America's black freedom struggle before Biden was old enough to vote. As we find ourselves on a hinge of history—a generation summoned to the task of redeeming our democracy and restoring our republic—no one ever has to wonder what Bernie Sanders stands for.

Then there's the movement, with its overwhelming appeal to young voters and its determination to organize the disenfranchised and the disenchanted. Movements are more important than candidates—and a greater source of power for change than election results. We live in an age of state repression and voter suppression, when a rigged system, complicit politicians, and a depleted and chronically distracted press have allowed the greatest concentration of economic and political power in American history. Yet resistance is always an option. So long as we are many and they are few, hope remains both rational and realistic.

In this election the fundamental question is also the oldest one: Which side are you on? *The Nation* is on the side of hope, not fear. We're on the side of radical change, not retrenchment and retreat. We are proud and excited to stand with the movements that have brought us to this moment and made this amazing, terrifying, exhilarating, and empowering campaign possible. And we are proud to endorse Bernie Sanders, a democratic socialist with a program realistic and radical enough to meet the test of our time, for president of the United States. THE NATION

'This Was a Grift'

Bloomberg's own staff wasn't even enthusiastic about him.

After getting walloped on Super Tuesday, Michael Bloomberg ended his presidential campaign on March 4. But according to more than a dozen members of his campaign staff, the former New York mayor's presidential dreams actually died two weeks earlier, when Senator Elizabeth Warren eviscerated his record during the February 19 debate in Las Vegas.

Not a single Bloomberg staffer I spoke to was surprised by the campaign's implosion. Speaking on the condition of anonymity for fear of professional reprisal and because of the campaign's restrictive nondisclosure agreements, employees cited that bruising debate as well as a general lack of enthusiasm among the staff as the main factors that doomed his presidential run.

"We could hardly get any volunteers.... Ever since the first debate, all of us faced a ton of hostility [when knocking on] doors," one field organizer said. "I once had a woman chase me back to my car demanding that I say you can't buy the presidency."

Several members of the campaign pointed to Bloomberg's debate performance as the beginning of the end. As another field organizer put it, "The people who liked Mike initially didn't care about sexual [harassment] allegations or stop-and-frisk, but they got turned off because they thought he made himself look weak and that he had let Warren walk all over him."

The former staffer added, "I had to staff [a] debate watch party.... The whole bar was full of Bloombros. You could just feel everyone getting silent and awkward whenever Warren tore into Bloomberg."

At the debate, Warren pressed Bloomberg with a pointed line of questioning about the NDAs that women who had accused him of sexual harassment had entered into and why he wouldn't release them.

Bloomberg's performance, specifically his handling of Warren's questions, even alienated the campaign's volunteers. Of those who quit, one campaign employee told me, "Just about every one of them said it was because of the debate performance or the NDA scandals."

Despite the lackluster showing in Las Vegas, Bloomberg's campaign seemed formidable, owing largely to its unprecedented ad spending. On Google ads alone, he outspent his competitors combined by a margin of more than $10 million, noted an analysis conducted by *The Washington Post*. By February, Bloomberg had aired seven times as many TV commercials as the previous top ad buyer, Mitt Romney, in 2008, according to another *Post* analysis.

But regardless of a nearly limitless budget, the Bloomberg campaign learned that money can't buy loyalty. Staffers reported an almost total lack of faith in him. "Most people knew this was a grift," one campaign official explained, describing even campaign leaders as unwilling to fulfill basic responsibilities. "At our first office meeting, [my director] said, 'We don't need to canvass. We can just make calls, right, guys?' And everyone was like, 'Yeah, that's sensible.'"

Multiple people recounted schemes to undermine the campaign and help their favored candidates. As one staffer said, "I would actively canvass for Bernie when I was supposed to be canvassing for Mike. I know of at least one team of 'volunteers' that was entirely fabricated by the organizers who had to hit their goals. It was easy enough to fudge the data to make it look like real people put in real volunteer work, when in reality Mike was getting nothing out of it."

Another staffer told me, "In San Diego the regional organizers also exploited the campaign's resources, staff, and infrastructure for local races they either were running in or consulting on."

While the campaign had ambitious quotas for phone calls and canvassing, some staffers simply faked their numbers. "Many campaign staffers—including myself—had to juke the stats in order to keep up with these impossible goals," one admitted.

However, MaryAnne Pintar, the campaign's San Diego regional political director, said she never saw anything of the sort. "The person quoted can only speak to their own work if they falsified reports," she said. "I never witnessed that, nor did I see resources used inappropriately. This campaign started late. Some consultants were already working on other campaigns and were made offers commensurate with capacity, with the understanding they'd be working with other clients, too. The person quoted anonymously may not know this."

While most campaign employees I spoke to recalled being critical of Bloomberg from the beginning, one was more sympathetic, pointing to his climate change policies and desire to shrink the Pentagon budget. But he remarked, "The campaign truly made me jaded.... I'm never going to sell my soul again." KEN KLIPPENSTEIN

BATOOL/SYRIA

BRINDA/NEPAL

ANANYA/INDIA

RFM/DOMINICAN REPUBLIC

A *NATION* SERIES

Migrant Voices

Borders don't just cut across international boundaries; they also increasingly stretch into the interior of nations—into our homes, communities, courts, and everyday interactions. About a year ago, we began a project designed to tell some of the stories of people affected by these borders, in their own words. We've heard from people from all over the world who have fled or left their homes and are looking to find or keep their place in America. —*John Washington*

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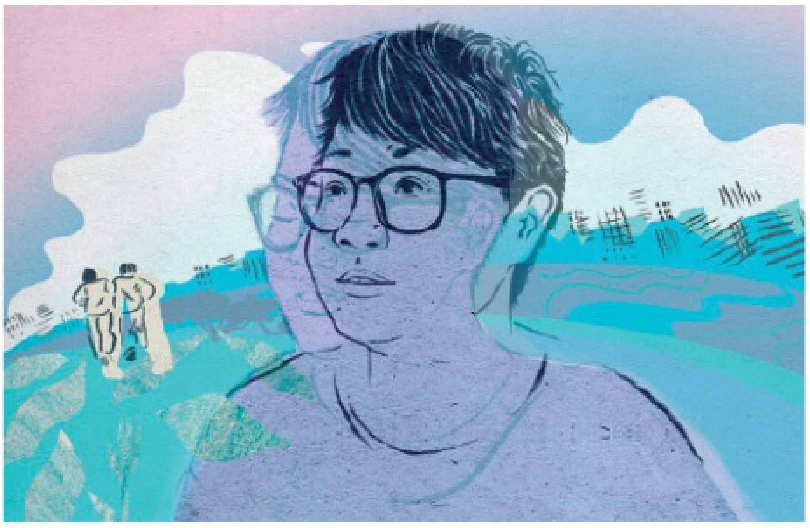
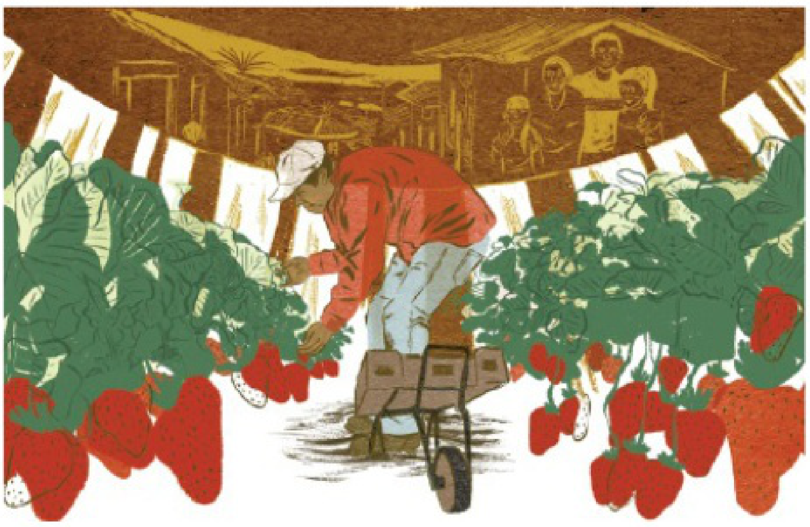


NANCY/CHINA

A Better Life?

"The move to the US changed my dad a lot. He used to be an architect. And it's been really hard for him here. He now works in a window factory six days a week, long hours. He started drinking. My mom had to go back to China for a little bit, so now it's just me and my dad. I have classes, and I work, so I barely see my dad. When I get home, sometimes he's already asleep."



OMAR/MEXICO

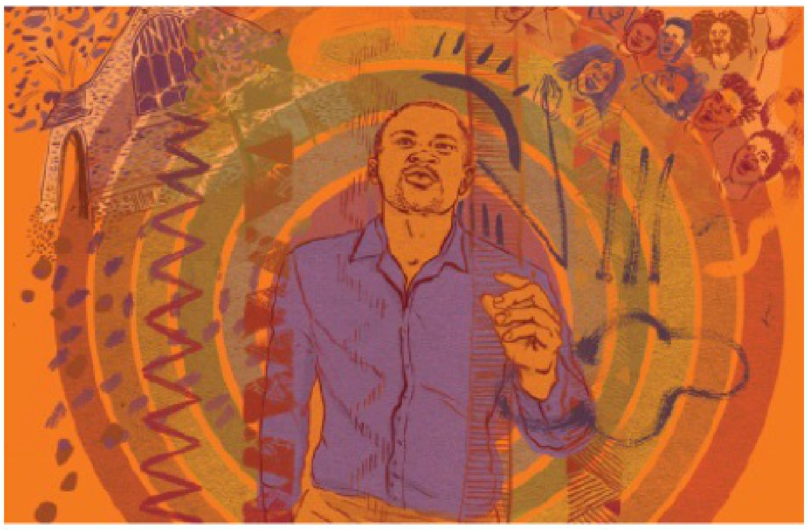
A Life in the Fields

"The first time I came as a guest worker, in 2005, it was really hard. I was thinking, 'I want to go back.' But back to what? I had rent, had to pay for electricity, gas. I would have had to find work again. I thought, 'OK. I'm already here, I gotta keep going. If the other workers can do it, I can do it, because I have two hands like they have. I can use them, just like they can.'"

EDAFE/NIGERIA

Fleeing Persecution

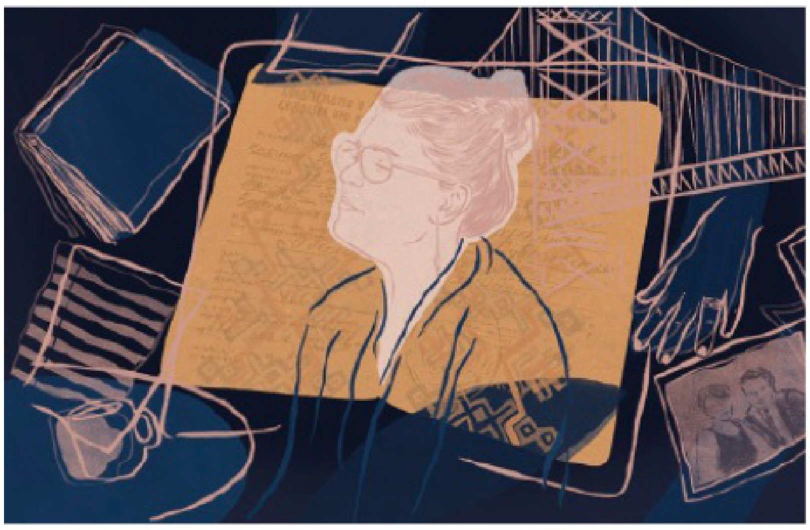
"The last attack was in 2016. They dragged me out of my apartment. They beat me on the street. They had found out that I was gay, and they were going to kill me. I blacked out. You see this scar on my head, this scar on my hand. When I woke up in the clinic, I found these scars, because they were beating me with sticks, and they were clapping and singing that I'm gay."



KARINA/STATELESS

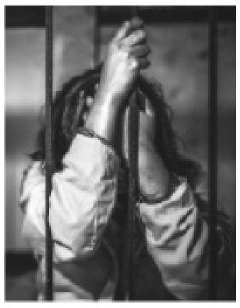
No Place to Call Home

"I feel sometimes that I inherited a problem, like a Greek tragedy. And learning how to live with it and learning how to accept it and being angry about it and being empowered by it—you know, being humbled by it but also being hurt by it. Sometimes I think about how I don't know what it's like not to have this problem. I don't know what it would be like, one day, to be like, 'Oh, my God, I'm not stateless anymore.'"



ILLUSTRATED BY **KRYSTAL QUILES**

BY THE NUMBERS



743%

Increase in the number of women in US prisons from 1980 to 2016

30%

US share of women who are incarcerated worldwide

4%

US share of women worldwide

63%

Percentage of women in state prisons who were incarcerated for nonviolent offenses

90%

Percentage of women in US prisons who experienced traumatic events before their incarceration, according to the Bureau of Prisons

180K

Number of women banned from 1996 to 2011 from public support programs like Temporary Assistance for Needy Families because of a felony conviction

—Daniel Fernandez

COMMENT

Black Voters Matter

And other lessons from the Democratic primaries.

Pundits, myself included, made the mistake of declaring former vice president Joe Biden politically dead and Senator Bernie Sanders the 2020 Democratic front-runner after only three presidential nominating contests in February. Just a week later, many repeated the mistake in reverse, writing off Sanders after Biden surged back with a landslide win in South Carolina, then took 10 of the 14 states on Super Tuesday three days later.

Fact-check: Biden was never dead—and Sanders wasn't, either, after Super Tuesday. But combined with his losses the next week in Mississippi, Missouri, and especially Michigan, the bad Super Tuesday news uncovered the main lesson that, if not heeded, could ultimately doom his campaign: Black voters matter, and despite running a better, more diverse campaign than he did in 2016, Sanders is overwhelmingly losing them.

At least publicly, Sanders is not facing the fact that he's struggling with black voters.

If I could point to one big mistake Sanders made in those few crazy days when the script flipped, it was this: He departed South Carolina the day before its primary to head to Boston for a rally and skipped going to Selma, Alabama, the next day to honor the 55th anniversary of the Bloody Sunday march demanding voting rights for African Americans.

What did that look like to voters not sold on him and his political revolution? It looked as though Sanders disrespected the voters of South Carolina (where he came in second out of seven candidates—not too shabby) by leaving early and not thanking his supporters after results came in. He went to Massachusetts, where only days before, he and Senator Elizabeth Warren were neck and neck. He managed to edge her out there, but Biden beat them both, easily. (And what did Warren supporters see? Sanders making sure he could deny her a win in her home state.) Meanwhile, Sanders insulted the black voters of Alabama, a Super Tuesday state, by skipping the annual pilgrimage to Selma, a civil rights holy day.

Anyone who wants to know why Sanders overwhelmingly lost the black vote in South Carolina and the six Southern Super Tuesday states—or why suburban white women, who won the House of Representatives for the Democrats in 2018, moved to Biden at the same time—should look at those choices. It's why Sanders lost Mississippi by an astonishing 65 percentage points on March 10 and why Biden won Missouri and Michigan. If Sanders wants the Democratic nomination, he's got to correct course with both groups.

Before all that, Sanders made an even bigger mistake. He never asked House majority whip Jim Clyburn of South Carolina, who backed Biden three days before the primary, for his support. "His politics are not my politics," Sanders told MSNBC's Rachel Maddow the night after Super Tuesday. "And I respect him, but there's no way in God's earth he was going to be endorsing me."

Maybe not, but how hard would it be to make a courtesy call to Clyburn? He's a very nice guy. He lost his wife six months ago—and Biden, a man of so many losses, reached out to him. Sanders learned in 2016 that the road to the Democratic nomination ran through South Carolina and through Clyburn, who endorsed Clinton four years ago. If you sat down with him and made the ask, however futile, at least you could say you tried. And in the South and in politics, polite gestures like trying go a long way.

Nevertheless, when Biden crushed Sanders in the Palmetto State, I resisted the conclusion I drew when Clinton did the same thing in 2016: that the Clyburn-endorsed Democrat would destroy Sanders in the Southern states to come. In 2020, Sanders had some great black organizers on the ground in all those states, to his credit. His campaign went out of its way to add local staff, mainly young people of color.

But Biden won the Southern Super Tuesday states. Exit polls say he won roughly the same share of black voters that he won in South Carolina and that Sanders won essentially the same small percentage he had across the region in 2016. In Alabama, North Carolina, Oklahoma, Tennessee, Texas, and Virginia, according to exit polls, Sanders averaged 18 percent of the black vote—not much more than he got against Clinton in 2016—while Biden had roughly 60 percent, in a five-person race. (Representative Tulsi Gabbard was also on the ballot, but she won only two delegates, in American Samoa.)

Yet in the wake of Super Tuesday, Sanders didn't face the fact, at least publicly, that he's still got problems with black voters. After South Carolina, Sanders surrogate Michael Moore went on MSNBC to claim the state "is not representative of the United States." Sanders could have rebuked Moore but didn't. Online, Sanders's supporters took to calling them low-information voters, which happened in 2016 as well. Again, no rebuke. Instead, Sanders railed against "the establishment" coming together to back Biden. It did—but that's not why he lost black voters. Former South Bend mayor Pete Buttigieg and Minnesota Senator Amy Klobuchar dropped out and endorsed Biden because they saw they had zero traction with black voters and could never win the Democratic nomination. They certainly didn't bring African Americans over to Biden's column.

But when Maddow asked Sanders why he's not winning with black voters (except, to be fair, the younger ones, according to some polls), he quickly changed the subject. "Let me give you the other side of the story," he said. "In California, if my memory is correct, we received 39 percent of the votes of people of color, which were Latinos, Asian Americans, and African Americans." Sanders has made remarkable inroads with Latinos, particularly in California and Nevada. According to *The New York Times'* preliminary California exit polls, he won 55 percent of Latinos and a plurality (37 percent) of Asian Americans. But he lost the black vote there to Biden, who won 38 percent, and to former New York mayor Mike Bloomberg, who got 20 percent. (Sanders won only 18 percent.) Likewise in Nevada, he won the Latino vote handily but lost African Americans to Biden. You can't elide black voters to make the electoral math easier; there's no way around Sanders's problems with black voters except through them. And he should have learned that four years ago.

Then there's the other component of Biden's Super Tuesday wins: the white, college-educated suburban women who helped Democrats recapture the House in 2018. It turns out that Democratic primary turnout has surged since 2016, but it's mainly among moderates, like those white, college-educated suburban women, not the young people Sanders counted on. Those female voters, along with black voters, powered Biden's overwhelming win in Virginia, where the state legislature has flipped blue, thanks to an increase in the number of women candidates and voters, as well as his surprise victory in Texas, where he carried the suburbs around Dallas and Houston that also went blue in 2018—again on the strength of suburban women.

Those women don't factor heavily—or at all, actually—in Sanders's political rhetoric. But they do factor heavily in the rhetoric of some of his online supporters, many of whom deride them as wine moms and the middle-aged hysterics who make up the resistance (and worse). Here's the thing: Those "wine moms" and "middle-aged hysterics," along with "low information" black voters, are the base of the post-Trump Democratic Party that Sanders wants to lead. And if he doesn't have a strategy for winning them, he'll lose again.

Prominent voices in the Sanders left spent most of their not-so-super Wednesday—let's call it Shitty Wednesday—deriding those voters while calling for Warren to drop out. Let me say this about Warren, who was by far the candidate most qualified to be president and who did drop out, on Tragic Thursday: She took it from the left, right, and center, while the media virtually erased her.

Now that Bloomberg's campaign is in the rearview mirror, we can see that it was mainly targeted at Warren. Bloomberg supported Biden but didn't think he could win. He spitballed Sanders but didn't appear to believe he could win, either. Meanwhile, he trashed Warren before he even got in the race, calling her wealth tax "Venezuelan," and rapped her disrespectfully just before he got out. When a reporter asked about her on Super Tuesday, he answered derisively, "I didn't realize she was still in. Is she?" Whoever wins the Democratic nomination will owe Warren big for taking Bloomberg out in his first debate. I celebrate that she outlasted him, if only by a day.

To the extent there is a Democratic establishment, it came for Warren, too. When it looked as if Biden had a little bit of life, not just Buttigieg and Klobuchar but also dozens of congressional leaders and state representatives flocked to Biden—as did former Senate majority leader Harry Reid, who helped coax Warren into running for the Senate in 2012 and is widely known to admire her. You might have imagined liberal establishment Democrats seeing an accomplished, progressive woman as a better foil for Sanders than the crime-bill-sponsoring, bank-defending former senator from Delaware, the credit card capital. But you'd have imagined wrong.

And of course, the attacks came from the left. Warren made the mistake of believing that all those people who chanted "Run, Warren, run" in 2015 and 2016 would follow her in 2020. Instead, a critical mass went with Sanders. And instead of viewing her as an ally whose support they might need in the event her candidacy faltered, many Sanders supporters treated her as the enemy. They spread ugly rumors that she lied about losing her first teaching job because she was pregnant. They trashed her Medicare for All plan. When health care advocate Ady Barkan, who has ALS, backed Warren over Sanders last year, he was savaged by Bernie supporters who alleged that the disease claiming his body had taken his mind. (To his credit, Sanders defended Barkan.)

When Warren told *her* truth, the way she remembered it, about Sanders expressing doubt that a woman could win the White House, he effectively called her a liar on national television, and his supporters drowned her in snake emojis.

Even if suburban "wine moms" and "resistance hysterics" didn't cast their votes for Warren, they saw all that first. And it continued as Sanders backers demanded she drop out, with Representative Ilhan Omar suggesting Sanders lost her home state of Minnesota because of Warren's continued campaign. (I might think more about what I could have done to bring in my home state for Bernie, but that's just me.)

So Warren dropped out, crushing every woman who hoped that this year, with the range of qualified women running, we might finally end up with a woman in the White House. I'm sad, but Sanders's supporters should be sad, too. I wrote this, repeatedly, four years ago, and it's still true, but I'll let Sanders-sympathetic *New York* writer Eric Levitz say it instead: "Median Democratic primary voters like the Democratic Party and its leadership." Or as *The Root*'s Michael Harriot put it in a tweetstorm, "All we have is the institutions, organizations and relationships we built. That's why politicians come to black churches in the south. That's why a lot of activists down here are also educators and religious leaders. It's why Dem. Party meetings take place in church basements. That is quite literally 'the establishment' for us."

If Sanders wants to lead the party, he's got to start reaching out more to its core constituencies—and he's got to get his supporters to stop savaging those constituencies. As Representative Alexandria Ocasio-Cortez tweeted, "Effective organizers are welcomers, natural educators, and positive in their interactions. They make new people feel like theirs is a movement they want to be part of." Despite her close ties to the Sanders campaign, she was

(continued on page 10)

CRIMINAL INJUSTICE

State Murder

On March 5, the state of Alabama executed Nathaniel Woods for the 2004 shooting deaths of three Birmingham police officers and the attempted murder of another.

The prosecutors acknowledge that Woods didn't pull the trigger, and the man who did, Kerry Spencer, insists that Woods was "100 percent innocent" of involvement in the murders. Kimberly Chisholm Simmons, the sister of one of the slain officers, also didn't believe in Woods's guilt and issued a statement begging Alabama Governor Kay Ivey to stay his execution.

ALABAMA DEPARTMENT OF CORRECTIONS VIA AP

Alabama killed Woods even though two of the 12 jurors in his case voted against recommending the death penalty. In nearly every other state, that would have saved him. (Alabama and Florida are the only two states that don't require a unanimous jury recommendation for the death penalty.) According to the Alabama Statistical Analysis Center, the state's judges order the death penalty at a disproportionately higher rate for cases in which the victim is white.

Although capital punishment has been on the decline, 29 states still have the death penalty, and there are more than 2,600 death row prisoners in the United States.

Lauren Faraino, one of Woods's attorneys, told *The Appeal*, "Alabama executed an innocent man and I think everyone involved—the governor, the attorney general, the [Department of Corrections] commissioner—everyone knew it."

—Emily Berch

FRANCE

French Fiat

Despite weeks of protest, including France's longest strike in 50 years, President Emmanuel Macron's En Marche party pushed through widely hated changes to the French pension system on March 3. The opposition parties, led by the leftist La France Insoumise, filed more than 40,000 amendments to try to stop the measure. En Marche turned to a rarely used rule to enact it through a decree that avoided a parliamentary vote.

Opposition leaders across the political spectrum criticized the overhaul of a generous, if complex, pension system, which guaranteed benefits through 42 plans for public and private sector employees. Under the new system, everyone's pension will be calculated on the basis of points. Critics say it will lead to greater poverty among the elderly as well as a later retirement age.

The Interior Ministry said 800,000 people around the country attended the first strike on December 5, while the labor union CGT said the figure was 1.5 million. Throughout the holiday season, workers mobilized to slow or shut down trains, courts, and even nuclear plants. After the changes went through in March, thousands demonstrated across the country, calling out the undemocratic move and demanding that Macron resign. In one city, lawyers held a funeral procession for "our beloved justice," and in another, the head of the CGT said, "Nothing is finished!"

—Meerabelle Jesuthasan

FO
Cheminots

Eric Alterman

Trump's Deadly 'Bullshit'

The president cannot recognize reality. Amid a pandemic, that's terrifying.

With 16,241 "false or misleading claims" during the first three years of his presidency, according to a *Washington Post* tally, Donald Trump has managed to cover pretty much every known form of lie. His most common category of falsehood, however, is almost certainly "bullshit." As defined by the Princeton philosophy professor emeritus Harry Frankfurt, these are statements made when the speaker "does not care whether the things he says describe reality correctly. He just picks them out, or makes them up, to suit his purpose."

Trump's tendency toward "bullshit" can be entertaining, such as when he pretends to have expertise in toilet flushing and windmills. But the habit is a great deal more problematic when the topic is, say, an ongoing pandemic that has the potential to kill millions of people, disrupt national economies, and cause chaos across the globe.

The Liberal
Media

The latter problem has been exacerbated by our most important media institutions, which have had trouble admitting the terrifying truth. It's not just that they won't call a lie a lie (much less "bullshit"). It's that they hide Trump's tendencies to sputter nonsense by making him appear far more articulate and sensible than can be justified by any objective observation.

The most valuable coverage of Trump's presidency has come from Daniel Dale, whom CNN hired away from the *Toronto Star*, thanks to his focus on just this phenomenon. He wrote in November 2018 that Trump keeps lying, in part, because he "knows the lies will be broadcast unfiltered to tens of millions of people—by some of the very outlets he disparages as 'fake news.'"

Dale might as well have been speaking about a recent egregious *New York Times* headline, "Criticized for Coronavirus Response, Trump Points to Obama Administration." The story itself was hardly more enlightening. Reporters Peter Baker and Sheila Kaplan began by summarizing and then quoting Trump's "bullshit"—"The Obama administration made a decision on testing that turned out to be very detrimental to what we're doing, and we undid that decision a few days ago so that the testing can take place in a much more accurate and rapid fashion"—and followed it up with mock confusion. "It was not entirely clear what he was referring to," the reporters noted, as "health experts and veterans of the government during Mr. Obama's presidency said they were unaware of any policy or rule changes during the last administration that would have affected the way the Food and Drug Administration approved tests during the current crisis."

Of course, anyone who gave Trump's statements a millisecond of thought would know that he was making up this story on the spot. But here's the rub: According to Baker, the *Times*' chief White House correspondent, thinking is not part of his job. As he explained recently, "I never make up my mind…that one candidate is better than another, that one side is right and the other wrong." He may as well have issued an embossed invitation to politicians to lie to him.

But again, the problem here—whether it's the *Times* or the countless institutions for which it defines journalistic standards—goes beyond purposeful gullibility toward a pathological liar, served up in the guise of accountability journalism. It is that the media reports Trump's words in a manner that intentionally obscures his obvious ignorance. Referring to the president's bizarro March 2 meeting with members of the pharmaceutical industry, Baker and his colleague Michael Crowley wrote that "Mr. Trump has made himself the primary source of information to the public with mixed results. Appearing before cameras sometimes multiple times a day to talk about the coronavirus, he has offered a consistently rosier assessment of the situation than health experts and has put forth unproven or even false assertions." This is strong language for the *Times*, but it nevertheless fails to convey that the president kept repeating one harebrained statement after another, even after they were repeatedly corrected on camera.

Trump's "bullshit" is a great deal more problematic when the topic is, say, a pandemic that has the potential to kill millions of people.

Moreover, Baker and Crowley invited Trump and his defenders to slander and lie about both the

BOTTOM LEFT: ALAIN PITTON / NURPHOTO VIA GETTY IMAGES; TOP RIGHT: ANDY FRIEDMAN

GLOBAL CONNECTIONS TELEVISION
WITH BILL MILLER

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GLOBAL CONNECTIONS
TELEVISION

Bill Miller is an accredited journalist at the UN for the Washington International and has written extensively on UN issues.

He is the Principal of Miller and Associates International Media Consultants, which created the Global Connection Television concept.

Bill developed an interest in international issues and the UN when he served as a US Peace Corps volunteer in the Dominican Republic. In his first year he worked as a community developer in a remote rural area; his second year he was Professor of Social Work at the Madre y Maestra University in Santiago, the country's second largest city.

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Democrats and reporters in order to further the administration's campaign of potentially lethal medical misinformation. White House spokesman Judd Deere, we learned from the *Times*, insisted that "what we are seeing from the left and some in the media is a disgusting effort to distract and disturb the American people with fearful rhetoric and palace intrigue." Baker and Crowley even felt it worthwhile to repeat a tweet by Republican minority whip Steve Scalise ("Shame on Dems for trying to play politics with the Coronavirus"), as if these comments, presented without evidence or context, somehow advanced readers' understanding of the crisis. But as anyone who watched the event or consulted a transcript would have known, the real problem was not simply a "rosier assessment" or "unproven or even false assertions"; it was the president's constant spewing of "bullshit."

In 2018, Dale observed that "Trump regularly makes 20 to 30 false claims in his rally speeches. But if you watched a network news segment, read an Associated Press article, or glanced at the front page of a newspaper in the city that hosted him, you'd typically have no idea that he was so wholly inaccurate." By contrast, Dale continued, "If a car salesman told you 36 untrue things in 75 minutes, that would probably be the first thing you told your friends about your trip to the dealership." But not only have Trump's lies become normalized by the mainstream media, so, too, have his cluelessness, incoherence, and outright stupidity.

When Trump was the host of *The Apprentice*, according to a supervising editor on the series, the editors' "first priority on every episode…was to reverse-engineer the show to make it look like his judgment had some basis in reality. Sometimes it would be very hard to do." Unfortunately, many in the mainstream media have defined their jobs the same way. And this time, thanks to the coronavirus, the results will be deadly. ■

The media hides Trump's tendencies to sputter nonsense by making him appear far more articulate and sensible than can be justified.

(continued from page 7)

obviously subtweeting his supporters, who were demanding Warren's backing as if it were their birthright.

The browbeating didn't work. Warren dropped out without endorsing Sanders, and in an interview with Maddow the same night, Warren criticized him for failing to rein in his nastiest supporters. "Bernie and I have been friends for a long, long time," she began, before denouncing some of the worst instances of his supporters' misbehavior, including threats and other abuse faced by leaders of the Working Families Party, which supported her, and Nevada's Unite Here union, which criticized Sanders's (and Warren's) Medicare for All plans, only to find its female leaders' phone numbers and addresses leaked online. "It put them in fear," Warren said. When Maddow asked if it was Sanders's responsibility to stop such abuse, Warren said simply, "It is. It just is."

It's possible that by the time you read this, she will have endorsed Sanders. But listening to her on Maddow's show, it didn't seem that would happen anytime soon.

Sanders continues to represent a movement that at its best promises to transform our democracy as well as create a fundamentally fairer, more humane society. But to make it a majority, not just a movement, he and his advisers need to study the lessons of South Carolina and Super Tuesday. He must reckon with the doubts of black voters, who are the party's most loyal supporters. As he moves into the later-voting states, never again should he pass up the chance to confer with party elders like Clyburn. Even supporters agree. "We need to sit down with as many Congressional Black Caucus members as we can, whether they endorsed us or not," Representative Ro Khanna, a Sanders campaign cochair, told *Politico*. Sanders must make inroads with suburban women rather than let his loudest backers write them off as insufficiently radical to deserve his movement's attention.

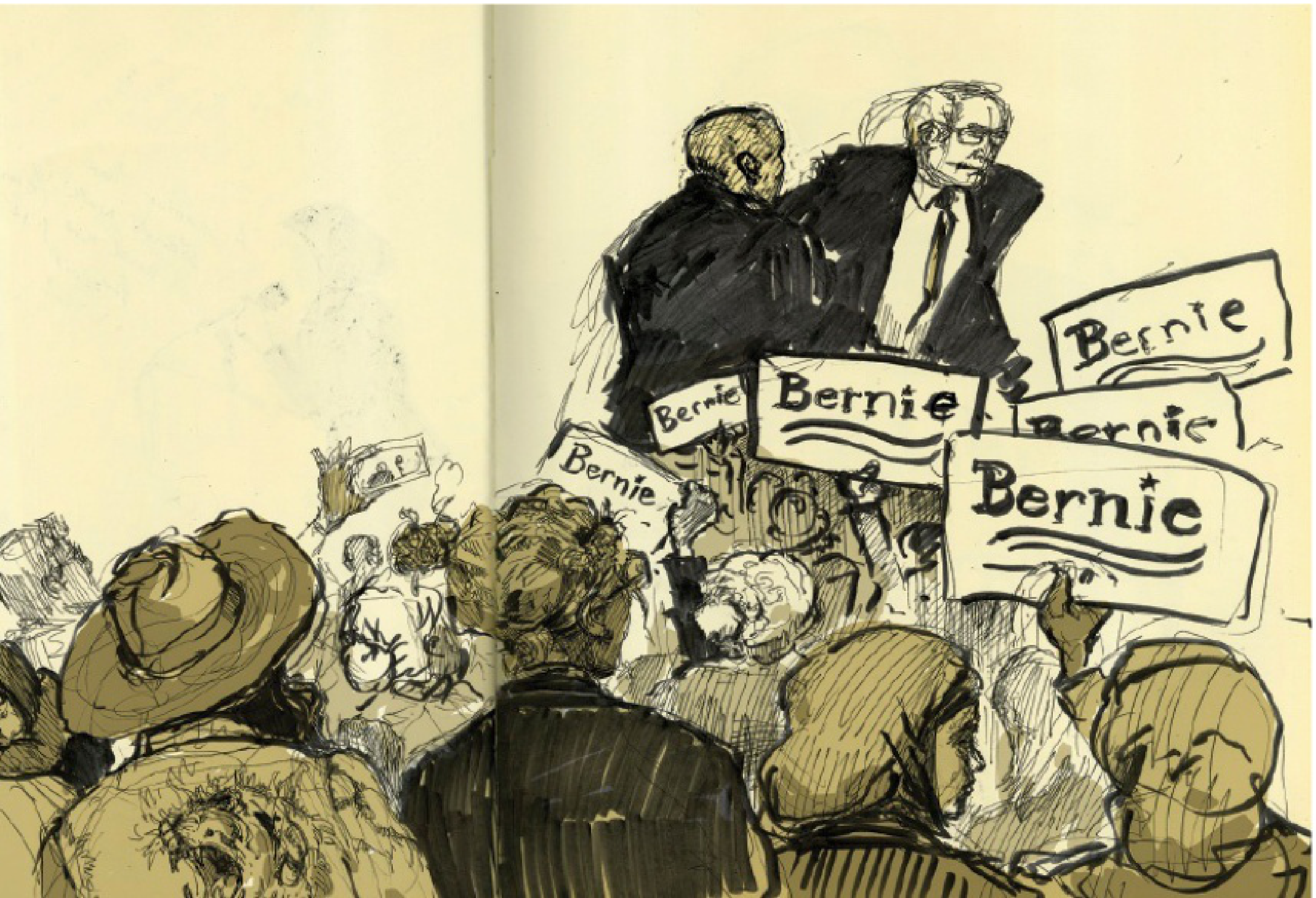
In the end, a primary race some thought might last through the July convention could be over in March. Biden remains a vulnerable candidate, both on the issues and in terms of his behavior on the campaign trail. But Sanders dug himself a hole. To get out of it, he'll need to sound as if he wants to be the leader of the party whose nomination he seeks, not its destroyer.

JOAN WALSH

DRAWING THE NATION

MOLLY CRABAPPLE

When not canvassing for Bernie Sanders, I drew his rallies in the Detroit area. The crowds were black and white and brown, young and old—everyone, really—and the next day I would run into some of the same people at the field headquarters, where, like me, they were lining up to get their lists of doors on which to knock.



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IMMIGRATION

Get Out

With the fear of outsiders intensifying as the coronavirus continues to spread worldwide, including in the United States, it is likely that President Trump's brutal anti-immigrant policies will only pick up steam.

In early March, SWAT teams and snatch squads were dispatched in sanctuary cities to surveil immigrants in their homes and workplaces, locking siege practices into place against those who refuse to open their doors.

This move was announced on the heels of the decision to deploy elite Border Patrol Tactical Units—trained to operate against drug cartels in the most violent border areas—in urban neighborhoods to ratchet up the pressure on undocumented families. On March 3 in New York City, an Immigration and Customs Enforcement officer was photographed through a peephole going door-to-door with an assault rifle in a Bronx apartment building.

The BBC and other news outlets reported the case of a blind man in Illinois who failed his citizenship test after being given the reading section in large print instead of Braille.

News also broke that in April the Trump administration will begin forcibly collecting DNA from immigrant detainees, thereby building a vast database of genetic information about these men, women, and children.

And in February, Physicians for Human Rights released a study documenting the psychological impact of the US family separation policy, which the group says is tantamount to torture.

—Sasha Abramsky

POLICE
POLICE

Elie Mystal

License to Harass

The federal judiciary has done far too little to respond to abuse within its ranks.

The age gap between federal judges and their clerks is a little bit like the gap between Leonardo DiCaprio and his girlfriends: No matter how old the former gets, the ages of the latter stay the same.

Clerking for a federal judge is one of the most prestigious jobs in law. Clerks usually serve only one year. They work closely with their judges—long hours and lots of late nights—conducting legal research, summarizing briefs, and helping them to form and write their opinions. Clerks who do well and get strong recommendations from their judges are able to clerk for a higher court, including the Supreme Court, and are on the fast track to law professor positions, high-paying jobs in private practice, or becoming a federal judge themselves. Because of those opportunities, clerkships are highly sought positions. And they often go to 25-to-30-year-olds who are straight out of law school and don't have a lot of work experience.

If it sounds as if I've just laid out a perfect scenario for abuse and harassment, I have. Federal judges are appointed for life and can be removed only after an impeachment conviction by the US Senate. They receive a fresh batch of young, ambitious lawyers every year who don't need to sign a nondisclosure agreement to learn how to keep secrets.

Very little has been done to root out abuse and harassment in the federal judiciary. Last month Kansas District Court Judge Carlos Murguia became one of the few judges in the #MeToo era to face anything approaching repercussions for his behavior. On February 18 he resigned from his post, effective April 1, under a cloud of allegations regarding sexually inappropriate conduct, joining former Ninth Circuit judge Alex Kozinski, who resigned in 2017.

The Murguia case illustrates the flaw that has largely allowed the judiciary to escape accountability: Judges are policed by their colleagues. In 2016 one of Murguia's former employees made sexual harassment allegations against him, which were reported to the then–chief judge of the District of Kansas, J. Thomas Marten. A few weeks later, Marten elevated those complaints to Timothy Tymkovich, the chief judge of the 10th Circuit. Tymkovich is the same guy who threw out 83 ethics complaints against alleged attempted rapist Brett Kavanaugh, claiming to lack the power to do anything about them. In this case, Tymkovich started an "informal investigation," whatever that means. He ended up referring Murguia to *medical treatment* for sexual harassment. Not long after, Murguia was declared cured by a certified medical professional, but in late 2017 more allegations surfaced, including the claim that he had an extramarital affair with a felon on probation. That led to a real investigation, which found in September 2019 that he'd committed judicial misconduct. The details were released in early March.

Though not sufficient, there have been a handful of #MeToo reforms in the judiciary. Last year a commission led by DC Circuit Chief Judge Merrick Garland (yes, that Merrick Garland) came up with a number of new rules, such as making it explicit that "unwanted, offensive, or abusive sexual conduct" is against the judicial code of conduct. Most of the rules focus on making it easier for victims to report misconduct allegations while requiring judges to elevate "reliable" information about the misconduct of their fellow judges.

The problem is that, even with more reporting, all of these complaints eventually end up on the desk of the chief judge of the circuit on which the alleged harasser sits. For most federal judges, in other words, it is up to a colleague to decide if an investigation will take place or any kind of discipline will be meted out. I say "most" federal judges because the Supreme Court does not even have this safeguard. Chief Justice John Roberts is said to be considering some kind of ethics rules for the nation's highest court but has yet to put anything forward.

> *The Murguia case illustrates the flaw that has allowed the judiciary to escape accountability: Judges are policed by their colleagues.*

Trying to find reforms that will work was the ostensible reason for a hearing last month in front of a House Judiciary subcommittee. But the news at the hearing was made by Olivia Warren, a former law clerk and a current staff attorney at the Center

BOTTOM LEFT: JOHN MOORE / GETTY IMAGES; TOP RIGHT: ANDY FRIEDMAN

for Death Penalty Litigation. She testified that a Ninth Circuit contemporary of Kozinski's, Stephen Reinhardt, sexually harassed her while she clerked for him in 2017. "Mainly, he suggested I was horrifically unattractive," Warren said. She later added, "On more than one occasion, the judge suggested with words and gestures that my husband did not likely have a penis but that if he did, he certainly would not be able to sustain an erection while looking at me."

Reinhardt died in 2018, so he is not around to answer these charges. But Warren has the support of 70 former Reinhardt clerks who signed a letter calling on Congress to take "bold steps" to address sexual misconduct in the judiciary.

The raging problem with the way judges treat their clerks is the lack of independent oversight over the entire clerkship process. Many judges, including Reinhardt and Kozinski, were known to be "difficult" long before any allegations of sexual harassment came out. Verbal or emotional abuse is often treated as part of the price to be paid for an opportunity to clerk for a powerful judge. Even judges known to be "nice" benefit from a lack of the most basic scrutiny or accountability. Kavanaugh, for instance, has a good record on hiring women clerks but allegedly likes them to look a certain way. Justice Ruth Bader Ginsburg has a sterling reputation as a boss and a mentor, but she has hired just one African American law clerk in her 27 years on the Supreme Court.

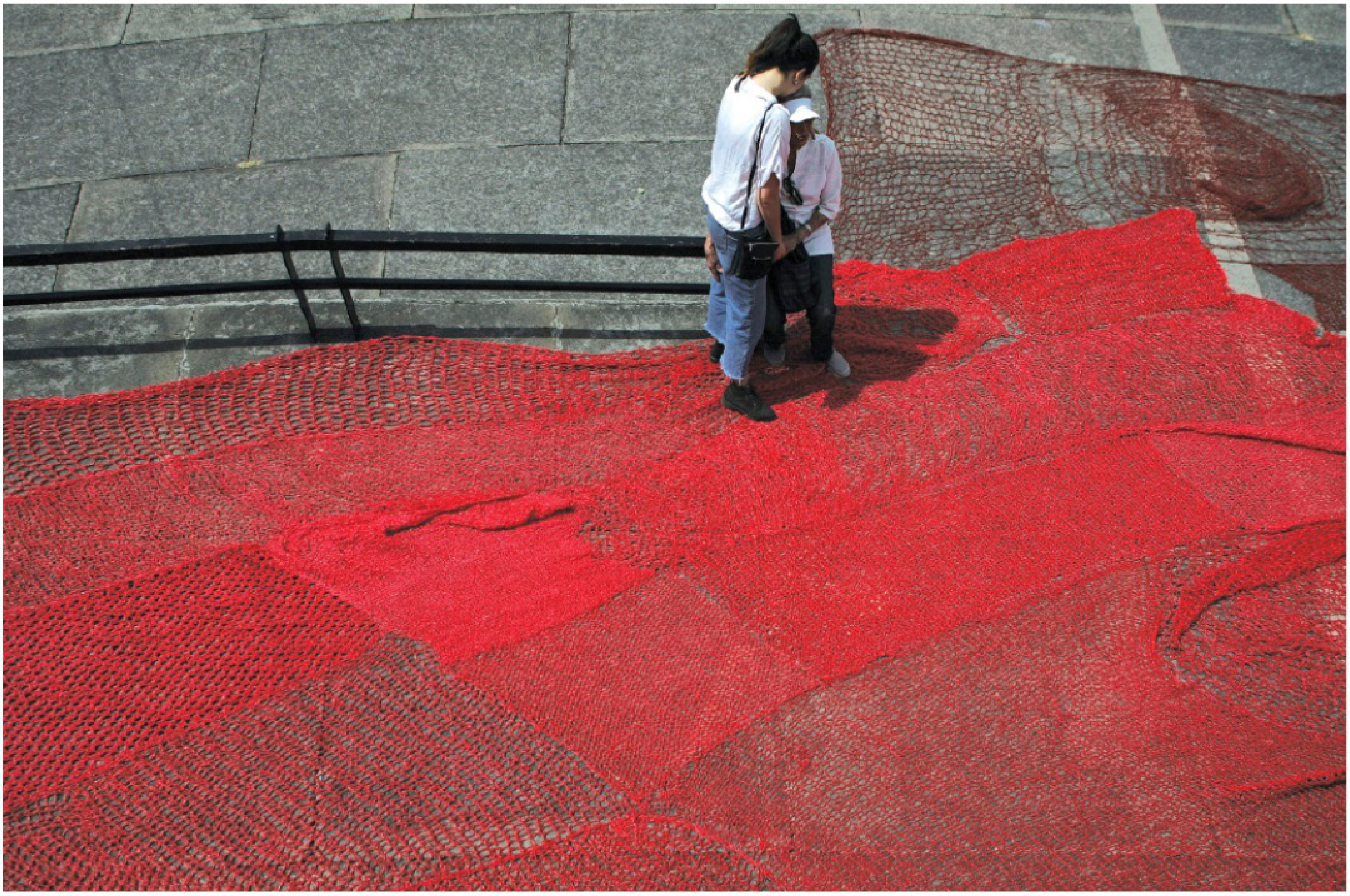
The federal judiciary needs strong oversight by Congress, which is the only body empowered by the Constitution with disciplinary authority over judges. Judges, it turns out, are not good at judging other judges. A lifetime appointment cannot be a license to abuse or harass employees. ■

The federal judiciary needs strong oversight by Congress. Judges, it turns out, are not good at judging other judges.

SNAPSHOT / LEONARDO ALVAREZ HERNANDEZ

Fabric of Society

On March 7, as part of the International Women's Day actions in Guadalajara, Mexico, demonstrators laid out swaths of red fabric symbolizing the blood of the victims of femicide and demanded an end to gender violence in the country.



GETTY IMAGES

MIKE PENCE AS CHIEF OF THE CORONAVIRUS TASK FORCE

Calvin Trillin
Deadline Poet

The president believed that it made sense
To put Mike Pence in charge of our defense
Against this quickly spreading worldwide threat
To public health—perhaps the worst threat yet.
Could it be wise, some asked, to place reliance
On someone with a strong disdain for science?
At least, Mike Pence supporters say, he's trying
To modify his boss's blatant lying.

The Nation.

SAINT BILL?

An exclusive look at how the Gates Foundation's charity begins—and often ends—at home.

TIM SCHWAB

Last fall, Netflix premiered a three-part documentary that promises viewers a rare look at the inner life of one of history's most controversial businessmen. Over three hours, *Inside Bill's Brain* shows us a rare emotional side to Bill Gates as he processes the loss of his mother and the death of his estranged best friend and Microsoft cofounder, Paul Allen.

Mostly, though, the film reinforces the image many of us already had of the ambitious technologist, insatiable brainiac, and heroic philanthropist. *Inside Bill's Brain* falls into a common trap: attempting to understand the world's second-richest human by interviewing people in his sphere of financial influence.

In the first episode, director Davis Guggenheim underlines Gates's expansive intellect by interviewing Bernie Noe, described as a friend of Gates.

"That's a gift, to read 150 pages an hour," says Noe. "I'm going to say it's 90 percent retention. Kind of extraordinary."

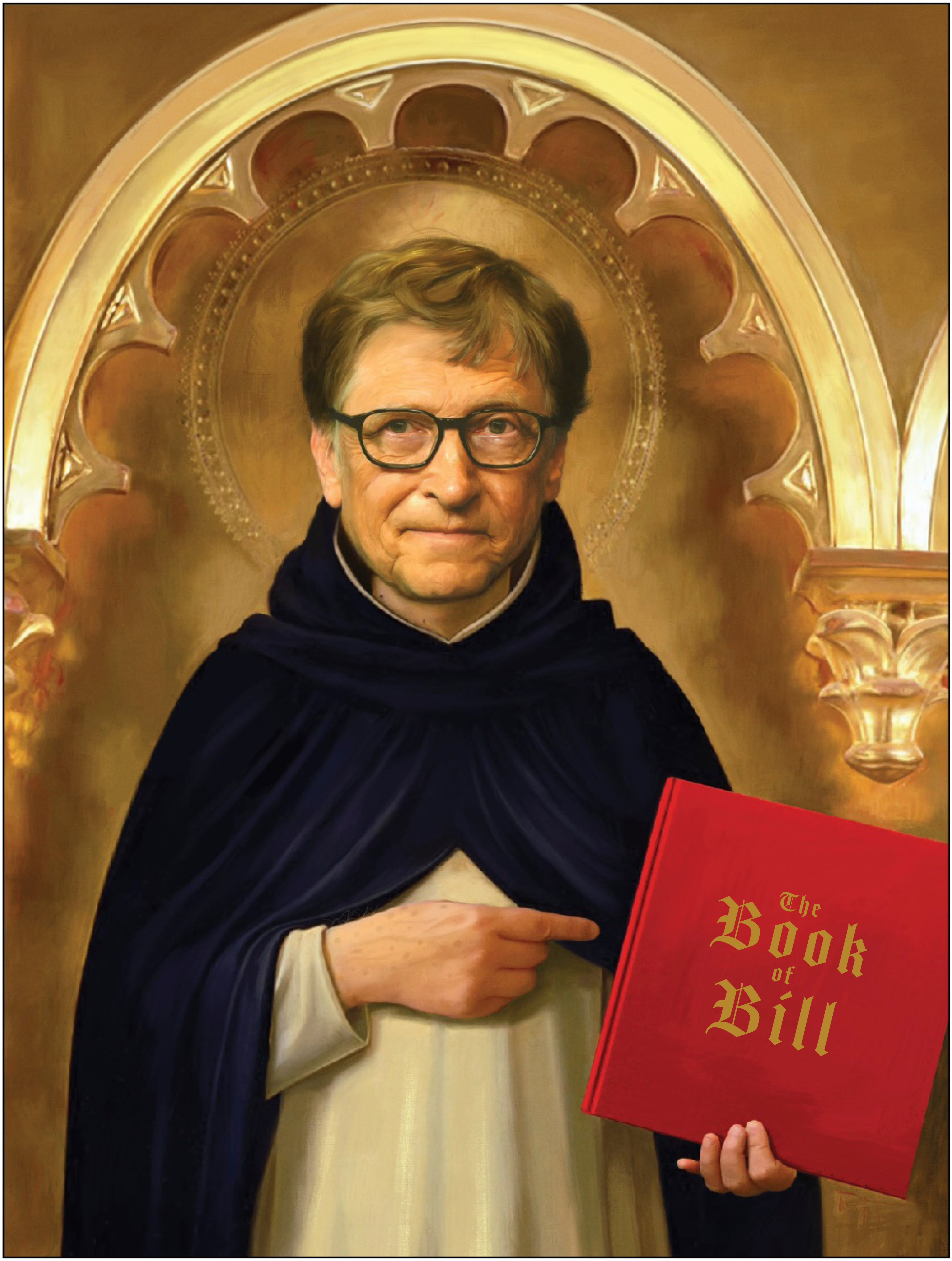
Guggenheim doesn't tell audiences that Noe is the principal of Lakeside School, a private institution to which the Bill & Melinda Gates Foundation has given $80 million. The filmmaker also doesn't mention the extraordinary conflict of interest this presents: The Gateses used their charitable foundation to enrich the private school their children attend, which charges students $35,000 a year.

The documentary's blind spots are all the more striking in light of the timing of its release, just as news was trickling out that Bill Gates met multiple times with convicted sex offender Jeffrey Epstein to discuss collaborating on charitable activities, from which Epstein stood to generate millions of dollars in management fees. Though the collaboration never materialized, it nonetheless illustrates the moral hazards surrounding the Gates Foundation's $50 billion charitable enterprise, whose sprawling activities over the last two decades have been subject to remarkably little government oversight or public scrutiny.

While the efforts of fellow billionaire philanthropist Michael Bloomberg to use his wealth to win the presidency foundered amid intense media criticism, Gates has proved there is a far easier path to political power, one that allows unelected billionaires to shape public policy in ways that almost always generate favorable headlines: charity.

When Gates announced in 2008 that he would step away from Microsoft to focus his efforts on philanthropy, he described his intention to work with and through the private sector to deliver public-goods products and technologies, in the same way that Microsoft's computer software expanded horizons and created economic opportunities. Describing his approach by turns as "creative capitalism" and "cata-

ILLUSTRATION BY **JASON SEILER**


The Book of Bill

The billionaire class: Warren Buffett (left) and Bill Gates, two of the Gates Foundation's three trustees, sharing a laugh.

lytic philanthropy," Gates oversaw a shift at his foundation to leverage "all the tools of capitalism" to "connect the promise of philanthropy with the power of private enterprise."

The result has been a new model of charity in which the most direct beneficiaries are sometimes not the world's poor but the world's wealthiest, in which the goal is not to help the needy but to help the rich help the needy.

Through an investigation of more than 19,000 charitable grants the Gates Foundation has made over the last two decades, *The Nation* has uncovered close to $2 billion in tax-deductible charitable donations to private companies—including some of the largest businesses in the world, such as GlaxoSmithKline, Unilever, IBM, and NBC Universal Media—which are tasked with developing new drugs, improving sanitation in the developing world, developing financial products for Muslim consumers, and spreading the good news about this work.

***The Nation* found nearly $250 million in charitable grants to companies in which the foundation holds stock.**

The Gates Foundation even gave $2 million to Participant Media to promote Davis Guggenheim's previous documentary film *Waiting for Superman*, which pushes one of the foundation's signature charity efforts, charter schools—privately managed public schools. This charitable donation is a small part of the $250 million the foundation has given to media companies and other groups to influence the news.

"It's been a quite unprecedented development, the amount that the Gates Foundation is gifting to corporations.… I find that flabbergasting, frankly," says Linsey McGoey, a professor of sociology at the University of Essex and author of the book *No Such Thing as a Free Gift*. "They've created one of the most problematic precedents in the history of foundation giving by essentially opening the door for corporations to see themselves as deserving charity claimants at a time when corporate profits are at an all-time high."

McGoey's research has anecdotally highlighted charitable grants the Gates Foundation has made to private companies, such as a $19 million donation to a Mastercard affiliate in 2014 to "increase usage of digital financial products by poor adults" in Kenya. The credit card giant had already articulated its keen business interest in cultivating new clients from the developing world's 2.5 billion unbanked people, McGoey says, so why did it need a wealthy philanthropist to subsidize its work? And why are Bill and Melinda Gates getting a tax break for this donation?

These questions seem especially pertinent in light of the fact that the donation to Mastercard may have delivered financial benefits to the Gates Foundation; at the time of the donation, in November 2014, the foundation's endowment had substantial financial investments in Mastercard through its holdings in Warren Buffett's investment company, Berkshire Hathaway. (Buffett himself has pledged $30 billion to the Gates Foundation.)

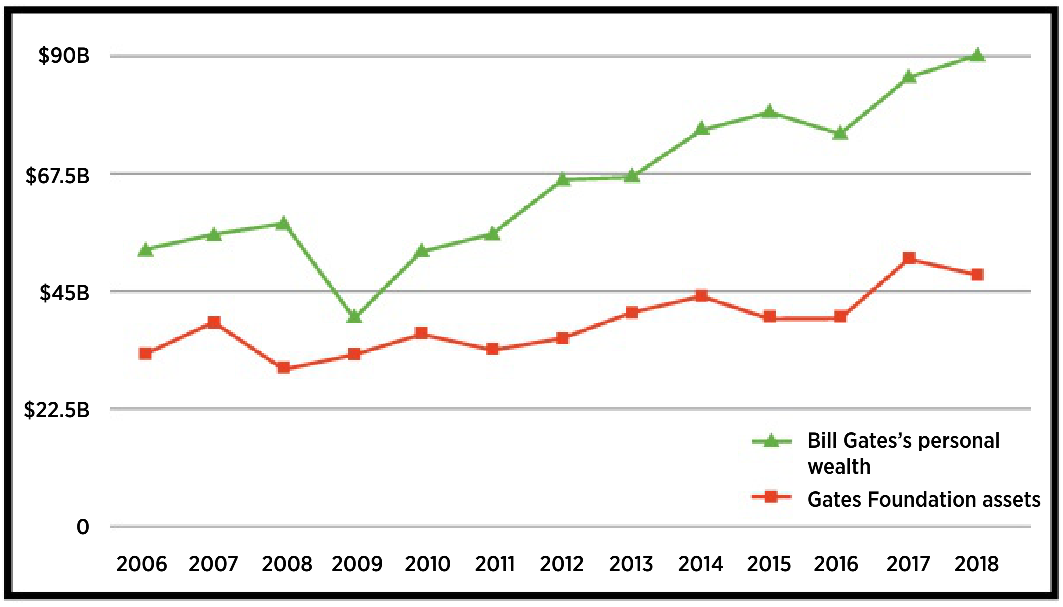
The Nation found close to $250 million in charitable grants from the Gates Foundation to companies in which the foundation holds corporate stocks and bonds: Merck, Novartis, GlaxoSmithKline, Vodafone, Sanofi, Ericsson, LG, Medtronic, Teva, and numerous start-ups—with the grants directed at projects like developing new drugs and health monitoring systems and creating mobile banking services.

A foundation giving a charitable grant to a company that it partly owns—and stands to benefit from financially—would seem like an obvious conflict of interest, but judging from the sparse rules that Congress has written governing private foundations and the IRS's light enforcement of them, many in the federal government do not appear to see it that way.

The Gates Foundation did not respond to specific questions about its work with the private sector, nor would it provide its own accounting of how much money it has given to for-profit companies, saying that "many grants are implemented through a mixture of non-profit and for-profit partners, making it difficult to

THE CHARITY PARADOX

Though the Gates family and the Gates Foundation have given away tens of billions of dollars, their assets have continued to grow, raising questions about the long-term influence of billionaire philanthropy in American politics.



SOURCES: *FORBES*'S ANNUAL REPORTING OF BILL GATES'S ESTIMATED NET WORTH; BILL & MELINDA GATES FOUNDATION TRUST 990 IRS FORMS

JEFF CHRISTENSEN / WIREIMAGE

Tim Schwab is a freelance journalist based in Washington, DC, whose investigation into the Gates Foundation was part of a 2019 Alicia Patterson Foundation fellowship.

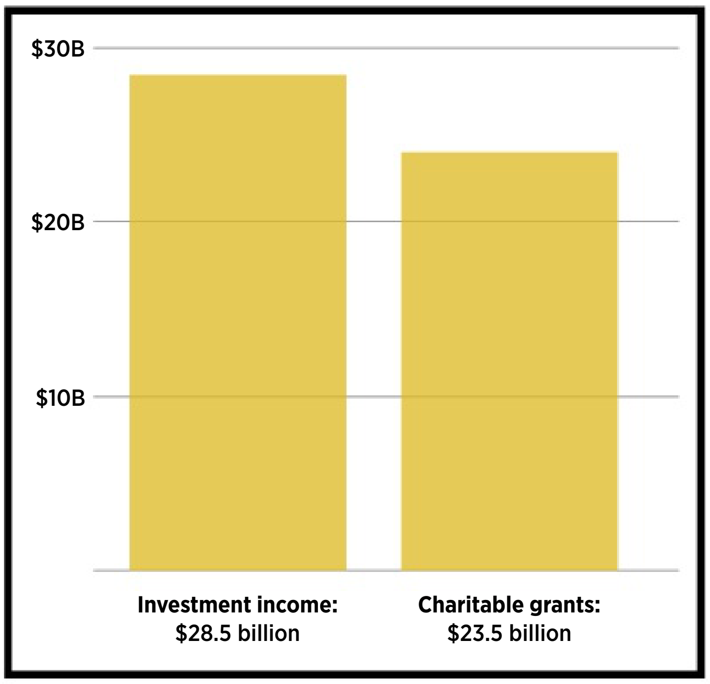
evaluate exact spending."

At business-friendly events, however, Bill Gates openly promotes his foundation's work with companies. In speeches delivered at the American Enterprise Institute and Microsoft in 2013 and '14, he trumpeted the lives his foundation was saving—in one speech he said 10 million, in another 6 million—through "partnerships with pharmaceutical companies."

Yet the foundation is doing more than simply partnering with companies: It is subsidizing their research costs, opening up markets for their products, and bankrolling their bottom lines in ways that, by and large, have never been publicly examined—even as you and I, dear reader, are subsidizing this work.

GROWING PORTFOLIO

The Gates Foundation's endowment has generated more income in the past five years than the organization has given away.



SOURCE: BILL & MELINDA GATES FOUNDATION 990 IRS FORMS

BILL GATES FREQUENTLY BOASTS about having paid more taxes—$10 billion—than anyone else. That may or may not be true; the Gates Foundation would not release his tax forms or provide any substantiating information. But he may also end up avoiding more taxes than anyone else, through charitable giving.

By Bill and Melinda Gates's estimations, they have seen an 11 percent tax savings on their $36 billion in charitable donations through 2018, resulting in around $4 billion in avoided taxes. The foundation would not provide any documentation related to this number, and independent estimates from tax scholars like Ray Madoff, a law professor at Boston College, indicate that multibillionaires see tax savings of at least 40 percent—which, for Bill Gates, would amount to $14 billion—when you factor in the tax benefits that charity offers to the superrich: avoidance of capital gains taxes (normally 15 percent) and estate taxes (40 percent on everything over $11.58 million, which in Gates's case is a lot).

> "People often confuse what wealthy people are doing on their own dime and what [they're] doing on our dime.... When they get significant tax benefits, it's also our money."
>
> —Ray Madoff

Madoff, like many tax experts, stresses that these billions of dollars in tax savings have to be seen as a public subsidy—money that otherwise would have gone to the US Treasury to help build bridges, do medical research, or close the funding gap at the IRS (which has resulted in fewer audits of billionaires). If Bill and Melinda Gates don't pay their full freight in taxes, the public has to make up the difference or simply live in a world where governments do less and less (educating, vaccinating, and researching) and superrich philanthropists do more and more.

"I think people often confuse what wealthy people are doing on their own dime and what [they're] doing on our dime, and that's one of the big problems about this debate," Madoff notes. "People say, 'It's the rich person's money [to spend as they wish].' But when they get significant tax benefits, it's also our money. And so that's why we need to have rules about how they spend our money."

Naturally, Big Philanthropy has special interest groups pushing back on the creation of such rules. The Philanthropy Roundtable defends the wealthiest Americans' "freedom to give," describing itself as fighting the "increasing pressures from some public officials and advocacy groups to subject private philanthropies to more uniform standards and stricter government regulation."

The nonprofit group receives funding from influential right-wing billionaires, including hundreds of thousands of dollars from the private foundation of Charles Koch. And it gets substantial funding from the Gates Foundation: nine grants from 2005 to 2017, worth $2.5 million, mostly for general operating expenses. A spokesperson for the foundation says these donations are aimed at "mobilizing voices to advocate for public policies that further enable charitable giving."

At a certain point, however, the Philanthropy Roundtable seems primarily to serve the private interests of billionaires like the Gateses and Koch who use charity to influence public policy, with limited oversight and substantial public subsidies. It's unclear how the Philanthropy Roundtable's work contributes to the Gates Foundation's charitable missions "to help all people live healthy, productive lives" and "to empower the poorest in society so they can transform their lives."

While there is no credible argument that Bill and Melinda Gates use charity primarily as a vehicle to enrich themselves or their foundation, it is difficult to ignore the occasions where their charitable activities seem to serve mainly private interests, including theirs—supporting the schools their children attend, the companies their foundation partly owns, and the special interest groups that defend wealthy Americans—while generating billions of dollars in tax savings.

Philanthropy has also delivered a public relations coup for Bill Gates, dramatically transforming his reputation as one of the most cutthroat CEOs to one of the

Reputation repair: Bill Gates leaving court with his wife, Melinda, after he testified in the 2002 Microsoft antitrust trial. They have become known as famous philanthropists rather than corporate predators.

KENNETH LAMBERT / AP

most admired people on earth. And his model of charity, influence, and absolution is inspiring a new era of controversial tech billionaires like Mark Zuckerberg and Jeff Bezos, who have begun giving away their billions, sometimes working directly with Gates.

“[Gates is] always trying to push things in a pro-corporate direction.... He gives so much money to [fight] poverty, and yet he’s the biggest obstacle on a lot of reforms.”

—James Love

GATES WAS ALREADY ONE OF THE RICHEST HUMANS on earth in 2008, but he was also an embattled billionaire, still licking his wounds from a series of legal battles around the monopolistic business practices that made him so extravagantly wealthy—and that compelled Microsoft to pay billions of dollars in fines and settlements.

Gates did not respond to multiple requests for interviews, but in a recent Q&A with *The Wall Street Journal*, he revisited his legal face-off with antitrust regulators, saying, “I can still explain to you why the government was completely wrong, but that’s really old news at this point. For me personally, it did accelerate my move into that next phase, two to five years sooner, of shifting my focus over to the foundation.”

Gates’s view of Microsoft as the victim of overzealous antitrust regulations may help explain the laissez-faire ethos driving his charitable giving. His foundation has given money to groups that push for industry-friendly government policies and regulation, including the Drug Information Association (directed by Big Pharma) and the International Life Sciences Institute (funded by Big Ag). He has also funded nonprofit think tanks and advocacy groups that want to limit the role of government or direct its resources toward helping business interests, like the American Enterprise Institute ($6.8 million), the American Farm Bureau Foundation ($300,000), the American Legislative Exchange Council ($220,000), and organizations associated with the US Chamber of Commerce ($15.5 million).

CORPORATE CHARITY

The Nation *found close to $2 billion in tax-deductible charitable donations from the Gates Foundation to for-profit businesses—including companies in which the foundation held investments, such as GlaxoSmithKline. The top 10 corporate recipients took home more than half a billion dollars.*

Corporate recipients of Gates Foundation charity	Amount
Novavax Inc.	$89,083,312.00
GlaxoSmithKline Biologicals	$65,348,119.00
Evotec and Just Biotherapeutics	$62,562,326.00
Biological E. Limited	$60,733,478.00
LG Chem Ltd.	$52,902,243.00
Dimagi Inc.	$42,973,201.00
Inventprise	$40,877,114.00
Bharat Biotech International Ltd.	$38,450,062.00
Janssen Vaccines & Prevention BV	$37,230,604.00
AJ Vaccines AS	$34,717,074.00

Between 2011 and 2014 the Gates Foundation gave roughly $100 million to InBloom, an educational technology initiative that dissolved in controversy around privacy issues and its collection of personal data and information about students. To Diane Ravitch, a professor of education at New York University, InBloom illustrates the way Gates is “working to push technology in classrooms, to replace teachers with computers.”

“That affects Microsoft’s bottom line,” Ravitch observes. “However, I’ve never made that argument.... [The foundation] is not looking to make money from this business. They have an ideological interest in free markets.”

Education isn’t the only area where Gates’s ideological interests overlap with his financial interests. Microsoft’s bottom line is heavily dependent on patent protections for its software, and the Gates Foundation has been a strong and consistent supporter of intellectual property rights, including for the pharmaceutical companies with which it works closely. These patent protections are widely criticized for making lifesaving drugs prohibitively expensive, particularly in the developing world.

“He uses his philanthropy to advance a pro-patent agenda on pharmaceutical drugs, even in countries that are really poor,” says longtime Gates critic James Love, the director of the nonprofit Knowledge Ecology International. “Gates is sort of the right wing of the public-health movement. He’s always trying to push things in a pro-corporate direction. He’s a big defender of the big drug companies. He’s undermining a lot of things that are really necessary to make drugs affordable to people that are really poor. It’s weird because he gives so much money to [fight] poverty, and yet he’s the biggest obstacle on a lot of reforms.”

THE GATES FOUNDATION’S SPRAWLING WORK WITH for-profit companies has created a welter of conflicts of interest, in which the foundation, its three trustees (Bill and Melinda Gates and Buffett), or their companies could be seen as financially benefiting from the group’s charitable activities.

Buffett’s Berkshire Hathaway has billions of dollars in investments in companies that the foundation has helped over the years, including Mastercard and Coca-Cola. Bill Gates has long sat on the board of directors at Berkshire, and he and his foundation together hold billions of dollars of equity stake in the investment firm.

The foundation’s work also appears to overlap with Microsoft’s, to which Gates continues to devote one-third of his workweek. The Gates Foundation’s $200 million program to improve public libraries partnered with Microsoft to donate the company’s software, prompting criticism that the donations were aimed at “seeding the market” for Microsoft products and “lubricating future sales.” Elsewhere, Microsoft is investing money studying mosquitoes to help predict disease outbreaks, working with the same researchers as the foundation. Both projects involve creating sophisticated robots and traps to collect and analyze mosquitoes.

“The foundation and Microsoft are separate entities, and our work is wholly unrelated to Microsoft,” a Gates Foundation spokesperson says.

In 2002, *The Wall Street Journal* reported that Gates and the Gates Foundation’s endowment made new investments in Cox Communications at the same time that Microsoft was in discussion with Cox about a variety of business deals. Tax experts raised ques-

Doing well while doing good: The Gates Foundation's sprawling work with for-profit companies has created a welter of conflicts of interest.

PIUS UTOMI EKPEI / AFP VIA GETTY IMAGES

tions about self-dealing, noting that foundations can lose their tax-exempt status if they are found to be using charity for personal gain. The IRS would not comment on whether it investigated, saying, "Federal law prohibits us from discussing specific taxpayers or organizations."

Gates is notoriously secretive about his personal investments, however, making it difficult to understand if he stands to gain financially from his foundation's activities or the extent to which he does if this happens.

"It's hard to draw the line between a) Microsoft; b) his own personal wealth and investment; and c) the foundation," says consumer advocate Ralph Nader, one of Microsoft's fiercest critics in the 1990s. "There's been very inadequate media scrutiny of all that."

The foundation's clearest conflicts of interest may be the grants it gives to for-profit companies in which it holds investments—large corporations like Merck and Unilever, as well as myriad start-ups. The foundation took a $7 million equity stake in the start-up company AgBiome, whose other investors include the agrochemical companies Monsanto and Syngenta, while giving AgBiome $20 million in charitable grants to develop pesticides for African farmers. Similarly, the foundation has a $50 million stake in Intarcia and an $8 million investment in Just Biotherapeutics, to which it gave $25 million and $32 million in charitable grants, respectively, for work related to HIV and malaria. At one point, the foundation held a 48 percent stake in an HIV diagnostic company called Zyomyx, to which it previously awarded millions of dollars in charitable grants.

Asked about these apparent conflicts of interest, the foundation says that grants and investments "are simply two tools the foundation uses as appropriate to further its charitable objectives."

WHEN GATES BEGAN HIS FOUNDATION IN 1994, HE put his father, Bill Gates Sr., in charge. A prominent lawyer in Seattle, Gates Sr. was also a civic leader and, later, a public advocate on issues related to income inequality.

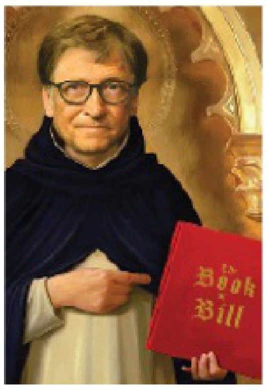
Working with Chuck Collins, an heir to the Oscar Mayer fortune who gave away much of his inheritance during his 20s, Gates Sr. helped organize a successful national campaign in the late 1990s and early 2000s to build political power around preserving the estate tax, the taxes levied against the assets of the wealthy after they die.

In interviews Gates Sr. gave at the time (he has Alzheimer's disease now and was not contacted for an interview), his advocacy work seemed designed not to generate tax revenues but to inspire philanthropy.

"A wealthy person has an absolute choice as to whether they pay the [estate] tax or whether they give their wealth to their university or their church or their foundation," he told journalist Bill Moyers.

That's because when the rich give away their wealth, they reduce the assets that the estate tax targets. But such an arrangement, whereby the wealthiest Americans get to decide for themselves whether they want to pay taxes or donate their money to charity—including to groups that influence government policy—sounds like a peak example of tone-deaf privilege. In many respects, that's how the tax system works for the superrich.

"[Bill Gates Sr.'s] view was that there should be a cap on the lifetime amount of wealth that could be given to charity where you get a deduction."
—Chuck Collins



"The richer you are, the more choice you have between those two," says Collins, who today works on income inequality at the nonprofit Institute for Policy Studies.

For some billionaire philanthropists, it may be less of a choice than an entitlement. Buffett and Gates have recruited hundreds of millionaires and billionaires to sign the Giving Pledge, a promise to donate most of their wealth to charity, which some signatories explicitly cite as an alternative to paying taxes.

According to Collins, Bill Gates Sr. had a nuanced view that included limiting billionaires' tax benefits.

"He said to me…it's a problem that his son is going to give—at the time, it was like $80 billion—to the foundation and never have to pay taxes on any of that wealth," Collins recalls. "His view was that there should be a cap on the lifetime amount of wealth that could be given to charity where you get a deduction."

Around the time that Collins and Gates Sr. were putting pressure on Congress to make sure the wealthy pay their fair share of taxes, the younger Gates was running a multinational company aggressively looking for tax breaks. According to the assessor's office for King County, which includes Seattle, Microsoft has filed 402 appeals on its property taxes. Likewise, a 2012 Senate investigation examined Microsoft's aggressive use of offshore subsidiaries to save the company billions of dollars in taxes. And *The Seattle Times* reported that Microsoft spent decades creating lucrative, tax-reducing barriers around corporate profits.

Bill Gates, nevertheless, has managed to become a leading—and seemingly progressive—public voice on tax policy. Every year around tax time, he and Buffett make media appearances decrying how little they pay in taxes, calling on Congress to raise taxes on the wealthy. At times, however, they advocate policies that may not actually touch their wealth, such as promoting the estate tax, which their heirs likely won't have to pay.

Gates, along with a growing chorus of billionaires, has also used his public platform to push back on a proposed wealth tax, supported by both Elizabeth Warren and

MARINERS
MARINERS

A league of their own: Bill Gates Sr. (left) and his son prepare to throw out the first pitch for the Seattle Mariners in 2013.

ELAINE THOMPSON / AP

Bernie Sanders. A wealth tax would take a percentage of a billionaire's assets every year, limiting the accumulation of wealth—and possibly the amount of money spent on philanthropy. Gates counters that charity work reduces income inequality.

"Philanthropy done well not only produces direct benefits for society, it also reduces dynastic wealth," he wrote on his blog, *GatesNotes*.

WHEN THE GATES FOUNDATION HAS FACED CRITIcism in regard to its endowment—including investments in prisons, fast food, the arms industry, pharmaceutical companies, and fossil fuels—conflicting with its charitable mission to improve health and well-being, Gates has pushed back in black-and-white terms, calling divestment a "false solution" that will have "zero" impact.

The Gates Foundation's investments are not an insignificant part of its charitable efforts. Its $50 billion endowment has generated $28.5 billion in investment income over the last five years. During the same period, the foundation has given away only $23.5 billion in charitable grants.

In 2007, in one of the few investigative journalism series ever published about the foundation, the *Los Angeles Times* profiled the foundation's investments in mortgage lenders involved in subprime loans and for-profit hospitals accused of performing unneeded surgeries. The *Times* also noted the foundation's investments in chocolate companies that depend on cocoa production using child labor.

The Gates Foundation's endowment currently has an $11.5 billion stake in Berkshire Hathaway, which in turn has $32 million invested in the chocolate company Mondelez, which has been criticized in relation to the use of child labor. The foundation made $32.5 million in charitable donations to the World Cocoa Foundation, an industry group whose members include Mondelez, for a project to improve farmer livelihoods. The project doesn't appear to address child labor.

THE TAX REFORM ACT OF 1969 CREATED SPECIAL rules to limit the influence that wealthy philanthropists could exercise through private foundations—in theory ensuring they produce public benefits rather than serve private interests.

In practice, these rules give wealthy donors like Bill and Melinda Gates enormous latitude in their philanthropic activities. For example, when it comes to self-dealing, the IRS prohibits only the most egregious conflicts of interest, such as foundations awarding grants to companies controlled by board members. Likewise, IRS rules broadly allow charitable donations to for-profit companies, as long as the foundations keep paperwork showing that the money was used to advance their charitable missions.

But because the Gates Foundation views market-based solutions and private-sector innovation as public goods, the line between charity and business can be indistinguishable. Sociologist Linsey McGoey says, "They've defined their charitable mission so broadly and loosely that literally any for-profit company could be said to be meeting the Gates Foundation's general goal of improving social and global well-being."

The IRS's oversight of private foundations is constrained by recent budget cuts and its limited mandate to collect taxes from nonprofits like the Gates Foundation, which are largely free from paying them.

"If you're the IRS commissioner and you're given a finite sum to spend on the agency, and your job is to make sure the US Treasury has money in it, you are going to give a token nod to tax-exempt organizations," says Marc Owens, a former director of the IRS's tax-exempt division who is now in private practice. "One [IRS] agent looking at restaurants in Washington or New York City is going to generate a lot of money.... One agent looking at private foundations will probably pay their salary, but it's not going to bring in tax dollars."

According to IRS statistics, there are around 100,000 private foundations in the United States, housing close to $1 trillion in assets. However, foundations generally pay a tax rate of only 1 or 2 percent, and the IRS reports auditing, at most, 263 foundations in 2018.

State attorneys general can exercise oversight of private foundations, as the New York attorney general's office did in 2018 when it investigated Donald Trump's private foundation, which shut down amid allegations that

CONFLICT OF INTEREST

The Nation *uncovered hundreds of millions of dollars the Gates Foundation donated to companies in which the foundation held stocks or bonds.*

Merck	$9.4 million
LG	$53 million
Sanofi	$3.5 million
Eli Lilly	$3 million
Ericsson	$3 million
Takeda	$23 million
Unilever	$2.7 million
Pfizer	$16.5 million
Novartis	$11.5 million
Teva	$11.4 million
Philips	$1.7 million
Lixil	$1.5 million
Medtronic	$100,000

18+

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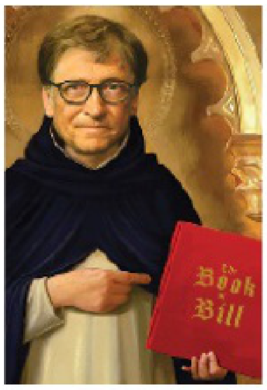
he used it for his personal benefit. The Gates Foundation's location in Seattle gives the state of Washington purview over its charitable work, but the state attorney general's office there says it did not have full-time staff dedicated to investigating charitable activities until 2014, a decade after the foundation became the largest philanthropy in the world. The Washington AG's office would not comment on whether it has ever investigated the Gates Foundation.


The Book of Bill

The blinding halo effect: Many of the institutions best placed to scrutinize Gates's foundation are now funded by him.

BILL GATES'S OUTSIZE CHARITABLE GIVING—$36 billion to date—has created a blinding halo effect around his philanthropic work, as many of the institutions best placed to scrutinize his foundation are now funded by Gates, including academic think tanks that churn out uncritical reviews of its charitable efforts and news outlets that praise its giving or pass on investigating its influence.

In the absence of outside scrutiny, this private foundation has had far-reaching effects on public policy, pushing privately run charter schools into states where courts and voters have rejected them, using earmarked funds to direct the World Health Organization to work on the foundation's global health agenda, and subsidizing Merck's and Bayer's entry into developing countries. Gates, who routinely appears on the *Forbes* list of the world's most powerful people, has proved that philanthropy can buy political influence.

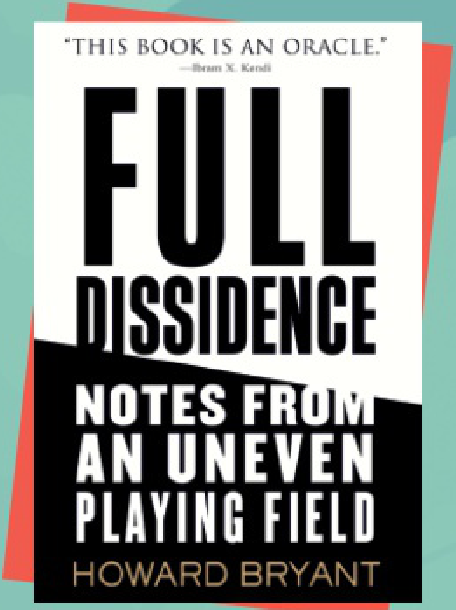
Gates's personal wealth is greater today than ever before, around $100 billion, and at only 64 years of age, he may have decades left to donate this money, picking up a Nobel Prize along the way or—who knows?—a presidential nomination. The same could be said of Melinda Gates, who, at 55, recently took a big step into public life with a highly publicized book tour.

But it's also possible that a day of reckoning is coming for Big Philanthropy, Bill Gates, and the growing number of billionaires following his footsteps into charity.

Economists, politicians, and journalists continue to put a spotlight on billionaires who aren't paying their fair share of taxes but who shape politics through campaign contributions and lobbying. Charity is seldom regarded as a tax-avoiding tool of influence, but if income inequality continues to gain attention, there is simply no way to avoid asking tough questions of Big Philanthropy. Do billionaire philanthropists have too much power, with too little public accountability or transparency? Should the wealthiest Americans have carte blanche to spend their wealth any way they want?

It may seem like a radical proposition to challenge the ability or desire of multibillionaires to give away their fortunes, but such scrutiny has a historical precedent in mainstream politics. One hundred years ago, when oil baron John D. Rockefeller asked Congress to provide him with a charter to start a private foundation, his ambitions were soundly rejected as an anti-democratic power grab. As Theodore Roosevelt said at the time, "No amount of charities in spending such fortunes can compensate in any way for the misconduct in acquiring them." ■

DISRUPTING THE STATUS QUO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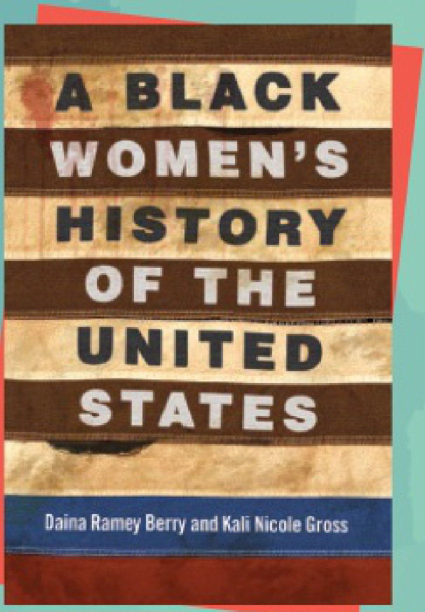
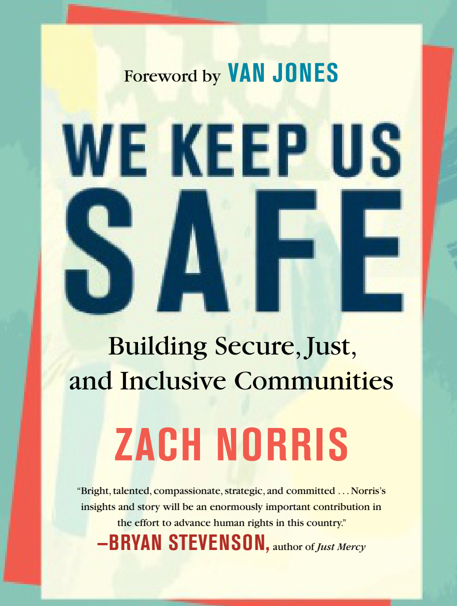
FULL DISSIDENCE
NOTES FROM AN UNEVEN PLAYING FIELD
HOWARD BRYANT

"A searing rejection of everything RACIST AMERICA holds dear."
—IBRAM X. KENDI, author of *How to Be an Antiracist*


A BLACK WOMEN'S HISTORY OF THE UNITED STATES
Daina Ramey Berry and Kali Nicole Gross

"Required reading for anyone interested in SOCIAL JUSTICE."
—KEISHA N. BLAIN, author of *Set the World on Fire*


Foreword by VAN JONES
WE KEEP US SAFE
Building Secure, Just, and Inclusive Communities
ZACH NORRIS
"Bright, talented, compassionate, strategic, and committed . . . Norris's insights and story will be an enormously important contribution in the effort to advance human rights in this country."
—BRYAN STEVENSON, author of Just Mercy

"An enormously important contribution in the effort to advance HUMAN RIGHTS in this country."
—BRYAN STEVENSON, author of *Just Mercy*

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CALIFORNIA FIGHTS TRUMP FOR CLEAN AIR

The president has overturned a 50-year waiver that allows the state to set its own standards.

SASHA ABRAMSKY

Fifty years ago, when the Nixon administration and Congress were working to strengthen the Clean Air Act, they looked to California to see how it could be done. In tackling the Los Angeles area's awful smog, state officials had already established emissions standards for vehicles, mandating the use of cutting-edge technology like crankcases that recirculate exhaust into the emissions system rather than simply spew it into the air. Later, they introduced catalytic converters and lights that warn drivers when their engines are malfunctioning and thus overpolluting. By 1967, when then-Governor Ronald Reagan signed the act creating the California Air Resources Board (CARB), the Golden State had an infrastructure for environmental regulation second to none.

The outcome of this dispute could have global ramifications for efforts to tackle climate change.

Two years later, California wanted national environmental regulations locked into law as well. But it knew the rest of the country wouldn't go as far as the West Coast, and Reagan didn't want to have to water down his state's standards in order to see the Clean Air Act passed. So state and federal officials hashed out a compromise. Under Section 209 of the Clean Air Act, the federal emissions standards that were about to kick in would serve as a baseline; states would not be permitted to go below that baseline, but through a series of waivers California would be allowed to maintain its higher standards if it could present a good scientific and technological case for them. Two decades later, under Section 177 of the revised Clean Air Act of 1990, other states were given the option to follow California's stricter standards over the federal ones.

Since that compromise, California—whose Justice Department can call on the expertise of dozens of in-house environmental law attorneys—has been granted more than 100 waivers, allowing it to introduce an array of standards that exceed those put in place by Washington. And more than a dozen states, accounting for roughly one-third of the American population, have chosen to follow those tougher standards. Despite George W. Bush–era opposition, not one of those waivers has been withdrawn—until now.

"We're not alone," says Mary Nichols, a longtime environmental advocate and Los Angeles resident who serves as the feisty chair of CARB. In fact, she adds, the state has "the entire environmental legal community" on its side regarding the waivers. "Groups like the NRDC [Natural Resources Defense Council], the Environmental Defense Fund, the Union of Concerned Scientists, the Sierra Club…these organizations all employ their legal resources."

For Donald Trump—who has claimed that climate change is a "hoax" and whose administration is joined at the hip to the fossil fuel industry—California's Clean Air Act waivers were always destined to be a target. Last October his administration announced that one of the most important California waivers of the past half-century, the one allowing it to set stricter standards for vehicle emissions, was being revoked.

In the months since, the fight over the waiver has become the latest and most important front in the ongoing struggle between the Trump administration and the Golden State over environmental policies. And it has triggered a colossal legal battle, in which California Attorney General Xavier Becerra and 22 other state AGs, along with the District of Columbia, CARB, and the cities of New York and Los Angeles, have all filed suit against the National Highway Traffic Safety Administra-

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Sasha Abramsky's most recent book is Jumping at Shadows: The Triumph of Fear and the End of the American Dream.

ILLUSTRATION BY **TIM ROBINSON**

FIRE EXTINGUISHER
Dorris
Weed
Bray
Siskiyou
Mount Shasta
Dunsmuir
Tulelake
Willow Ranch
Hackamore
Modoc
Lamoine
Platina
Lake City
Nubieber
Alturas
Hat Creek
Likely
Lassen
Termo
Westwood
Susanville
395
Milford
Sacramento
Galt
Ione
Sutter Creek
Lodi
San Andreas
Jackson
Markleeville
Stockton
Angels City
Coleville
Sonora
Oakdale
Riverbank
Waterford
Turlock
Tuolumne City
Bridgeport
Atwater
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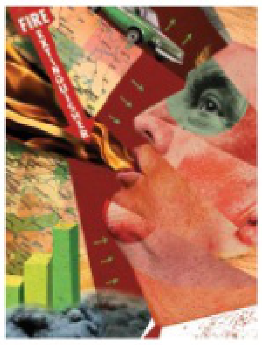
Chowchilla
Madera
Coarsegold
Fresno
Clovis
Sanger
Trimmer
Parlier
Selma
Kingsburg
Reedley
Dinuba
Tulare

tion (NHTSA). The outcome of this political and legal dispute could have decades-long, global ramifications for efforts to cut carbon dioxide emissions and tackle the growing threat of climate change.

"We're not trying to poke anyone's eye," Becerra says, "but for us it's not an option to do otherwise. We're going to sever ourselves from that anchor they [the Trump administration] are trying to throw over the boat. We're not interested in sinking."

The Environmental Protection Agency declined to comment for this article. In fact, Trump political appointee Michael Abboud, who was given an oversight role at the agency after working as a Republican National Committee research analyst and then as the communications coordinator for Trump's presidential campaign, sent an internal e-mail to career spokespeople for the EPA who had asked which office should respond to my request for comment. Abboud told them to "just hold on this please."



The Trump administration came into power committed to rolling back regulations that in any way limited the ability of corporations to maximize profits.

Why the Trump administration doesn't like this waiver is pretty straightforward: Among other things, it views California's emissions standards as a back door to setting higher miles-per-gallon requirements for vehicles—and under the Energy Policy and Conservation Act of 1975, states aren't allowed to set their own fuel efficiency standards. The Obama administration was happy to work with California on this issue, since the federal EPA and its state counterpart were committed to tackling climate change. Under Trump, who seems to view efforts to limit greenhouse gas emissions as an unnecessary impediment to economic growth, conflict was inevitable.

The moment Trump was elected, California's waiver became vulnerable to an ideologically driven attack on three fronts. First, in the face of conservative opposition, California detailed its own greenhouse gas reduction targets for vehicles in 2002, when AB 1493 created what were called the Pavley standards. "It rocked the world," recalls CARB spokesman Stanley Young. "The automobile industry fought us tooth and nail, said we couldn't do it and that greenhouses gases weren't a pollutant." Two years later, CARB locked into place stringent emissions standards, and other states followed suit. As UCLA environmental law professor Ann Carlson explains, in 2007 this led to a landmark Supreme Court ruling, *Massachusetts v. EPA*, which established the principle that states have the right to regulate greenhouse gases, even if they can't set their own fuel efficiency requirements.

When clean air was bipartisan: California Governor Ronald Reagan signs the act that led to the creation of the California Air Resources Board, August 1967.

CALIFORNIA AIR RESOURCES BOARD

After the ruling, the George W. Bush administration made noises about reining in California's waivers but didn't effectively move on it before the 2008 election. And for the next eight years, the Obama administration used the waivers' existence as a tool to reshape federal regulations in a more environmentally friendly direction. Then came 2016, and everything changed once again.

The Trump administration came into power committed to rolling back regulations that in any way limited the ability to maximize profits for American corporations. It was, therefore, particularly receptive to lobbying from the auto industry and fossil fuel companies. On November 10, two days after the election, Mitch Bainwol, then president and CEO of the lobby group Auto Alliance, e-mailed Trump's transition team, urging his incoming administration to roll back the higher fuel economy and emissions standards that were negotiated in 2012 between the Obama administration and CARB. Those standards require vehicle fleets to hit an average fuel efficiency standard of 54.5 miles per gallon by the middle of this decade.

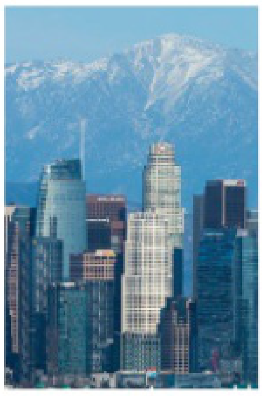
"The combination of low gas prices and the existing fuel efficiency gains from the early years of the program is undercutting consumer willingness to buy the vehicles with more expensive alternative powertrains that are necessary for the sector to comply with the more stringent standards," Bainwol wrote. He asked Trump's team to review the waiver revocation process, to create one national standard with lower fuel efficiency requirements, and to end California's ability to force car companies to sell more zero emission vehicles (ZEVs) over the coming years—a market lever that increased the number of models on the market from two in 2012 to more than 40 by last year.

Second, the administration made it clear from the outset that any policy initiatives, environmental and otherwise, developed during the Obama years were in its crosshairs. Trump wanted to erase Obama's legacy in its entirety. So the Trumpists decided that the higher fuel efficiency and emissions standards negotiated in 2012 must go.

The administration tried to use a midterm EPA evaluation to conclude that the efficiency goals were unrealistic and would impose undue economic hardship. California sued to stop the EPA's new determination in May 2018, arguing that the state's technical analyses, carried out in conjunction with the Obama administration, demonstrated that the targets were entirely feasible. Last September a Washington, DC, judge kicked the can down the road, ruling that since Trump's EPA hadn't yet come up with standards to replace the Obama-era ones, any litigation was premature. (Not surprisingly, EPA scientists have been unable to square the circle of lowering emissions standards while fulfilling their legal duty to reduce pollution.)

Last year four major automakers agreed to abide by California's standards when designing their cars over the coming years, further infuriating the Trump administration. In response, the Justice Department launched an

Los Angeles then and now: The city’s skyline in the late 1960s (above), before the Clean Air Act outlined more stringent restrictions, and this February (below).



antitrust investigation against these companies, trying to figure out if they were colluding to push up the price of their vehicles. (When I asked one of those companies, Honda, to provide comment for this article, it declined.) The anti-environmentalists surrounding Trump probably believe that in revoking the 1970 waiver, they will be able, in one bold stroke, to stymie those automakers willing to cut deals with California, as well as those states aligning their standards with California’s.

Third, from the beginning of his administration, Trump has attacked California’s signature policy initiatives and triumphs—on the environment, on health care, on immigration—as a way to punish the state for being a self-proclaimed center of resistance to his presidency. Trump has repeatedly attacked Governor Gavin Newsom, mocked the state’s political representatives in Washington, and even threatened to withhold Federal Emergency Management Agency assistance in the wake of California’s devastating wildfires.

With the administration looking for ways to weaken the federal rules, the NHTSA, according to sources I’ve talked to, urged the EPA to revoke California’s five-decade-old Clean Air Act waiver, arguing that the state was illegally using emissions standards as a way to split the national vehicle market in two, by forcing manufacturers to sell more fuel efficient vehicles not only in California but also in the dozen-plus other states that were following its lead.

The EPA yanked the state’s waiver last September. In a gloating tweet preempting the announcement, Trump wrote, “Many more cars will be produced under the new and uniform standard, meaning significantly more JOBS, JOBS, JOBS! Automakers should seize this opportunity because without this alternative to California, you will be out of business.”

California and its allies responded by filing yet another lawsuit to protect its regulations and vowing to continue the fight to enforce its higher standards. The Trump administration, Becerra argues, “doesn’t have a right to undo a federal policy or change a federal law simply because there’s an occupant in the White House who thinks he can. Until we have a legal conclusion to this, we plan to enforce the law.”

CALIFORNIA’S CLEAN AIR ACT WAIVER AND THE CAREfully negotiated standards that it helped lock in place during the Obama presidency are important parts of a larger package of policies the state has adopted in recent years to reduce smog and asthma rates and to lower CO_2 emissions. In the Trump era, with the federal government at best AWOL and at worst malicious when it comes to mitigating pollution and climate change, California’s efforts have been particularly important. In many ways the Golden State, rather than Washington, is now where the global community looks when trying to engage the United States in environmental initiatives.

Another part of the package is California’s ZEV program, which requires car companies to ensure that an increasingly large percentage of the cars they sell in the state are electric or fuel cell vehicles. The administration is targeting this mandate, too, and if Trump wins reelection this November, it will almost certainly be dismantled as we head into the crucial post-2025 years, when the auto industry has to be radically reshaped if global CO_2 reduction targets are to be met. “It’s the heart and soul of one of California’s major programs to meet its climate change targets,” says UCLA’s Carlson.

California has also developed a state-of-the-art cap-and-trade system, which has been expanded in the past seven years to include a landmark agreement with the Canadian province of Quebec. In October the Trump administration sued to block this agreement, arguing that California has no authority to cut international deals.

To protect its edifice of laws and regulations, California has put together a crack team of environmental lawyers who spend more and more of their time litigating against the federal government. They are working with the attorneys general from states that follow California’s standards but also with some others that don’t but believe there’s an important federalist principle at stake in preserving California’s waiver.

Colorado recently moved to align itself with California’s standards. State Attorney General Phil Weiser argues, “The letter and spirit of the Clean Air Act is cooperative federalism, where states are given flexibility to meet goals under the act.” He says Trump’s withdrawal of the waiver is “an affront to federalism. I believe we’re going to get an initial court decision. I believe we have a far better argument. What happened here is unprecedented.”

Michigan Attorney General Dana Nessel says, “Even if Michigan hasn’t yet adopted California’s [greenhouse gas] emissions standards, the two cases I have joined with California push back against federal overreach.”

Becerra is confident that this grand alliance of states will be able to block the administration’s efforts to eviscerate the Clean Air Act and roll back other vital environmental protections. “We think we’ve got facts, science, law, and history on our side,” he says. “We lean forward. We’re not going to backslide. It’s worked for us.” As for his ability to block the withdrawal of California’s waiver, he points to the state’s filing, in its independent capacity,

> **“We think we’ve got facts, science, law, and history on our side. We lean forward. We’re not going to backslide. It’s worked for us.”**
>
> —California Attorney General Xavier Becerra

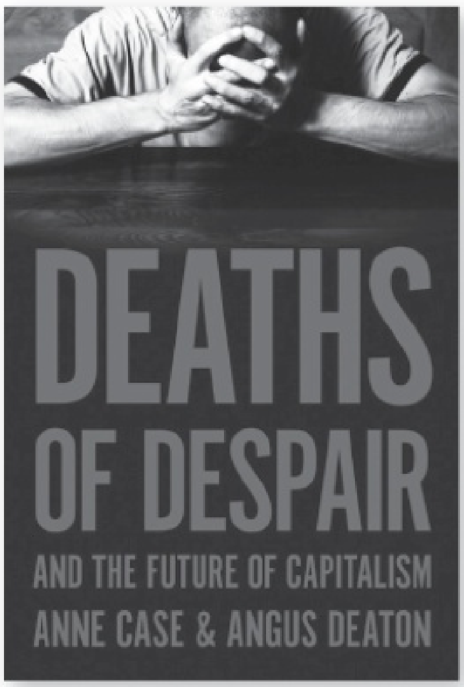
TOP: AMERICAN STOCK / GETTY IMAGES; BOTTOM: RIC TAPIA / AP

76 suits against the Trump administration. “If I were a Major League Baseball player, I’d be the envy of the town,” Becerra says, smiling, “with a batting average approaching a thousand.”

Since vehicle manufacturers design new models years in advance, for the next few years these companies will continue to market fuel-efficient cars influenced by the higher standards negotiated during Obama’s presidency. Moreover, even if they had the ability to quickly alter the cars they intend to sell after 2020, “car companies aren’t stupid,” says CARB’s Nichols. “They know there’s a decent chance we will prevail in the end. We have data. We know what the car companies are planning. We know their product plans.” And California officials are certain that if Trump loses in November, the incoming administration will restore the waiver, so that any plans the companies may have made to reduce fuel efficiency and skimp on emissions controls would have to be withdrawn. “The other side wants to move a large and well-prepared rock, which is the standards that are in place,” she continues. “I’m quite confident in what the ultimate result will be.”

There is, nevertheless, a profound danger. If Trump is reelected and a conservative Supreme Court somehow finds a legal theory that allows it to uphold the administration’s revocation of the waiver, auto companies could start planning to introduce lower-efficiency, higher-polluting vehicles into the state’s market in the mid-2020s. That’s why California is fighting back hard now rather than playing a waiting game—to protect its cherished waiver not just over the short term but for years to come. “Victory favors the prepared,” Nichols insists. “And we’re the prepared in this situation, because we have standards and programs that have worked for decades.” ■

From economist Anne Case and Nobel Prize winner Angus Deaton, a groundbreaking account of how the flaws in capitalism are fatal for America’s working class



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Books & the Arts

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PROPHETS OF INSTABILITY

How finance broke the modern corporation

by RICK PERLSTEIN

What are corporations for? In his 1962 book *Capitalism and Freedom*, Milton Friedman gave a blunt answer: profit. "Few trends could so thoroughly undermine the very foundations of our free society," he argued, "as the acceptance by corporate officials of a social responsibility other than to make as much money for their stockholders as possible." Almost two decades earlier, Karl Polanyi had a different answer. As he wrote in his 1944 book *The Great Transformation*, allowing profit

> to be the sole director of the fate of human beings and their natural environment would result in the demolition of society.... Nature would be reduced to its elements, neighborhoods and landscapes defiled, rivers polluted, military safety jeopardized.... No society could stand the effects of such a system of crude fictions even for the shortest stretch of time unless its human and natural substance as well as its business organization was protected against the ravages of this satanic mill.

So who was right? Polanyi asked us to look all around us for the answer, at the innumerable laws, norms, and institutions that limit markets and at the destruction an economy without such limits caused in the past. His main examples were World War I, the Great Depression, and World War II, a chain of events that happened, he argued, because society had failed to contain the demons

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Rick Perlstein is the author of Before the Storm, Nixonland, The Invisible Bridge, *and the forthcoming* Reaganland.

ILLUSTRATION BY **TIM ROBINSON**

and dislocations loosed by 19th century industrialism. During American capitalism's postwar golden age, most of the country's elites agreed that unfettered markets were ruinous. The head of the US Chamber of Commerce in 1946 insisted that "collective bargaining is part of the democratic process. I say recognize this fact not only with our lips but with our hearts." President Dwight Eisenhower boasted of using "every single force and influence" of government to stabilize the economy and wrote that only the "stupid" sought "to abolish social security, unemployment insurance, and eliminate labor laws and farm programs." When Friedman started calling corporate social responsibility a cancer eating away at freedom, he sounded so off-the-wall that his remarks appeared to be little more than deliberate provocation—trolling, as the kids say now.

Then things changed. Starting in the '70s, corporate profits began to fall. A dollar of capital that earned an average of 9 percent annually in 1966 earned 4 percent in 1977. American economic dominance began to fade. In 1971, for the first time since 1888, the United States ran a trade deficit with the rest of the world, at $1.3 billion; by 1980, it had approached $20 billion. Policy-makers decided to give laissez-faire a shot. Near the midpoint of his new book, *Transaction Man: The Rise of the Deal and the Decline of the American Dream*, Nicholas Lemann tells a story that helps illustrate this transformation. Robert Reich, the secretary of labor under Bill Clinton—the first Democratic president to occupy the Oval Office in more than a decade—uttered the phrase "corporate responsibility" in a speech and was summoned to the Treasury Department by Robert Rubin, the former investment banker who ruled over the administration's economic policy, "for an in-person chastisement." By the '90s, Friedman had won: Corporations were assigned no responsibility other than to make as much money as possible. With the benefit of hindsight, one might add that perhaps Polanyi had won, too, for in the decades after Reich's summoning, the economy collapsed, Donald Trump won the White House, and the kinds of calamities that Polanyi warned about began to happen as if on cue.

Transaction Man
The Rise of the Deal and the Decline of the American Dream
By Nicholas Lemann
Farrar, Straus and Giroux. 320 pp. $28

Lemann has been one of our wisest, clearest-thinking, and most learned commentators on American society since he began his journalism career at *Washington Monthly* in the 1970s. His books (*The Promised Land*, *The Big Test*, *Redemption*) all tackle moments of sweeping social transformation, offering compelling studies of the interrelation of ideas and institutions grounded in the experience of ordinary people. *Transaction Man*, which tracks how the United States went from a largely Polanyian society to one defined by ideas like Friedman's, is his best—and most sweeping—yet.

Transaction Man's narrative revolves around a concept that, at first glance, seems banal and of little consequence: The control of corporations has become separated from their ownership. In the late 19th century, the big companies that defined Americans' lives, like Standard Oil, were extensions of the will of the men who founded them. But by the second third of the 20th century, they'd been transformed into massive bureaucracies "owned" by thousands of individual shareholders who possessed no real power to control them at all. Power, instead, belonged to hired managers, executives who understood the role of their companies as being far more than just maximizing profits for shareholders. They might even go so far as to keep the main factory in the community where it was born in order to sustain that community's economic health. Which is exactly what got the likes of Friedman so mad: What gave them the right? It wasn't their money, after all.

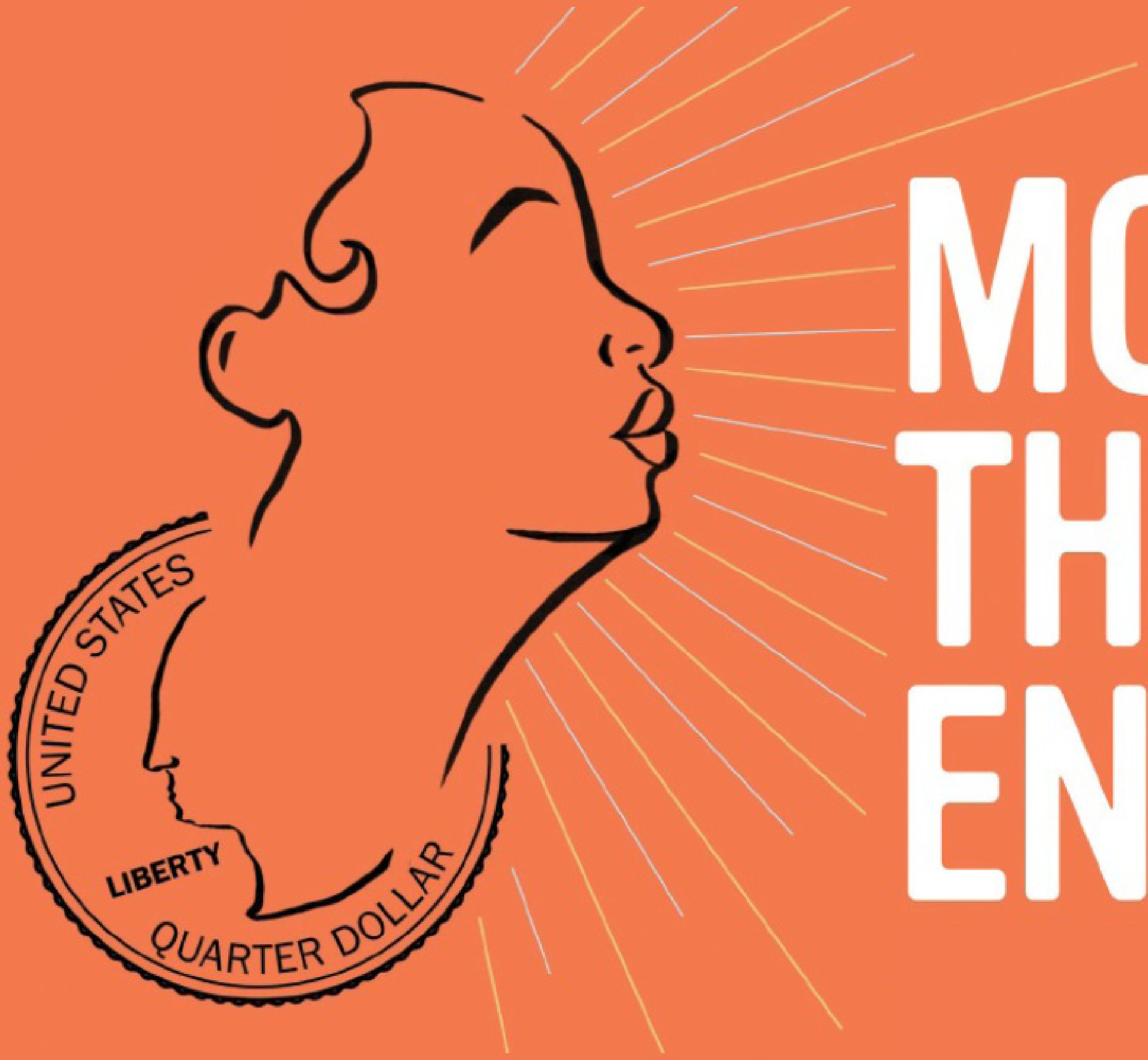
To tell this story, Lemann begins with a riveting portrait of Adolf Berle, the first thinker to grasp the significance of this transformation. Berle was born in Boston in 1895, at a time, Lemann observes, when a great transformation unleashed by the Civil War was at its height. A small number of businesses had become so enormous that they rivaled the power of the national government. The best minds of the age conceptualized this change as a threat to the idea of America as a society of free individuals. As Justice John Marshall Harlan explained in a 1911 Supreme Court decision that permitted the breakup of Standard Oil, the nation had rid itself of racial slavery, only to find itself

> in real danger from another kind of slavery…that would result from aggregations of capital in the hands of a few individuals and corporations controlling, for their own profit and advantage exclusively, the entire business of the country, including the production and sale of the necessities of life.

When Harlan wrote this decision, Berle was 16 and in his second year at Harvard. By the age of 23, he'd served as an Army staff officer at the Paris Peace Conference, received his master's and law degrees, and worked in the Boston office of future Supreme Court justice Louis Brandeis. Then Berle became a Wall Street lawyer, living next door to a settlement house whose founder, the progressive reformer and nurse Lillian Wald, became a mentor.

These identities were not as contradictory as they might seem. Wall Street was a useful crucible for Berle's vision of social reform, in which the commanding heights of the economy would be organized to serve human needs first. He was learning something new and important from his work writing up stock and bond offerings: that with the passing of a generation of oligarchs like Cornelius Vanderbilt and John D. Rockefeller, the ownership of corporations was becoming increasingly separated from their control—a fact that, as he studied it, Berle increasingly came to believe could be exploited to make the world a much better place.

What did the separation of ownership from control mean? In his book *The Modern Corporation and Private Property* (1932), cowritten with the economist Gardiner Means, Berle answered this question in an unforgettable way. Imagine a person who owns a horse: "If the horse lives, he must feed it. If the horse dies, he must bury it. No such responsibility attaches to a share of stock. The owner is practically powerless through his own efforts to affect the underlying property." This is what happened at US Steel. At its founding in 1901, it was but the lengthened shadow of two men, Andrew Carnegie and J.P. Morgan. By 1932, its shareholders numbered almost 175,000, with each individual "owner" controlling nothing. Many companies in the United States followed this pattern as robber barons died off and their corporations became bigger and more complex. Seeking outside investment, they took on thousands of stockholders, and ownership and management began to go their separate ways. The result, as Berle pointed out, was that "the power, the responsibility and the substance which [had] been an integral part of ownership in the past are being transferred to a separate group in whose hands lies control."



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Berle believed that this development could be used to benefit society as a whole. His very influential acquaintance Franklin D. Roosevelt, the 1932 Democratic presidential nominee, agreed: Since corporate managers' compensation came in the form of salaries, they could be persuaded to act in socially responsible ways that oligarchs would not. In one of modern liberalism's most famous speeches, given before the Commonwealth Club of San Francisco, Roosevelt proposed a new "economic constitutional order" to restrain business and protect workers that came to include old-age pensions, bank deposit insurance, health and unemployment insurance, and regulations holding financial speculation in check. In short, a New Deal.

The paradigmatic moment of the new, more humane economy that Berle envisioned came in 1950, when the United Auto Workers and General Motors inked a remarkable settlement giving factory workers automatic quarterly cost-of-living increases, and company-provided health insurance and pensions. The Treaty of Detroit, as it became known, soon served as a national model. Within 15 years (as one learns in Matt Stoller's *Goliath*, another excellent new book on the history of corporations), the percentage of Americans with surgical coverage went from 36 to 72 percent, and the reasons for it were Berle's reasons. As he put it in a 1954 book, "Mid-twentieth-century capitalism has been given the power and the means of more or less planned economy, in which decisions are or at least can be taken in the light of their probable effect on the whole community."

And why not? Blue-chip, market-defining firms were stable, perennially profitable, and practically impervious to economic downturns and so could afford to spread the wealth around. Without imperious oligarchs watching their every move or imperious shareholders threatening to pull out if eye-popping returns weren't posted every quarter, managers could afford to think of the long-term well-being of everyone. It wasn't their money, after all, and the agency of shareholders was so limited as to make opposition nearly inconceivable.

Examining this period, Lemann shows that the situation described above did not exist only because owners were so numerous and dispersed. Another product of Berle's influence had made Wall Street finance decorous and staid: the passage of the Glass-Steagall Act in 1933, which barred commercial banks from underwriting or dealing in securities and so greatly reined in the sort of dangerous, hyperleveraged speculation that caused the financial system to crash in 1929. Now a small set of regulated investment firms handled the nation's stock and bond offerings (Morgan Stanley, which broke off from J.P. Morgan for this very purpose, handled 25 percent alone by 1936), and American finance became a far more stable part of the US economy, almost more feudal than capitalist. This was partly for purely cultural reasons. It was the sole preserve of starchy old WASPs.

When a firm like General Motors required a chunk of outside capital (which was rare), a GM executive or two—relatively low-level ones—would meet with a Morgan Stanley partner, who would then convene the other partners and decide how to raise it: stocks or bonds? How many shares? How much per share? There was no competition; "no other banking firm," Lemann explains, "could try to become the underwriter of that issue because the SEC could review only one firm's request at a time." Then they would decide, also unilaterally, which of the lesser firms would get to sell it and how much of the profit would trickle down to these syndicate partners, and the availability of the new stock or bond would be announced in a stark, simple display ad in *The Wall Street Journal* called a tombstone, which was often enclosed and put on one's desk as a souvenir.

The Excavation

My 8-yr-old daughter is teaching me
how to live with myself
after 34yrs in this body I can finally

split myself in two & marvel that now I pass
the Bechdel test.
What I've let men scavenge—

my collarbones, femurs, the fleshy pads
of my inner thighs, bitemarks
butterflying from the clotted cream

that cornmeal death has made
of my skin—has given
way to blood

poisoning.   I haven't done much but get dumped
by one & tell the other to stop raping
me when I'm dreamcumming

& he finally after 13yrs together & a year
of divorce
understands a sleeping body moaning

is not consent. & while he's had to learn
truths he should've learned as a boy
I too chart a map to my unlearning.

I rewatch the filmstrips of my girlhood
with my girl & she covers her face at kissy scenes
& very practically, very kindly but firmly

lifecoaches the girls/women
You are worth so much more than you know
& finally I hear from the gift of my womb

what my mother never
taught me. My daughter transforms the desert
of my memory—peels the spines

What might these days take place in seconds took weeks. The lower-level firms would then approach their clients, say a trust officer in Kansas City, who might buy a chunk "to hold on to it for a wealthy widow." The widow might shake her fist, reading in the morning paper about how the execs at GM were surrendering their corporate liberty to that damned socialist Walter Reuther, but what could she do? "Owners" had no power—and the system wasn't about to change to accommodate competitors who might devise faster and more flexible ways to move cash around and keep its recipients accountable. In 1947 the US government tried to sue Morgan Stanley as a trust, the judge in the case, after seven years of deliberations, declined to label it thus, ruling that the system worked perfectly well for all concerned and noting the "absolute integrity" of Harold Stanley, one of the firm's founders.

Corporate finance is rather different now. Turn on your TV, and one fictional corporation's struggle not to be devoured by investors fuels enough cliffhanging melodrama to plot a soap opera. In one episode of HBO's *Succession*, an executive addresses the employees of a hot website that his conglomerate purchased to signal to stockholders its hipness; he fires the entire staff to prove its ruthlessness. Not exactly the sort of capitalism in which decisions are taken in light of their probable effect on the whole community. In another episode, a young executive proudly announces a management efficiency he's been able to realize. (He has stock options to worry about, after all.) "How many skulls?" his supervisor asks lustily.

How did the one regime transform into the other? As a quibbling historian, I sometimes find Lemann's approach to the answer unsatisfying. In the manner of too many intellectuals, he privileges the role of intellectuals. He also gets the periodization wrong, granting great motive force to an academic paper published in 1976, even though the new phase of financialization was well underway in the previous decade. (Just read Stoller's account of the financial chicanery that brought down Penn Central railroad in 1970.) And Lemann also prefers to focus on the personalities implementing these changes instead of the structural forces behind them. These include the decline of American corporate profitability, the way formerly colonized nations began withholding access to their resources until their demands for political consideration were met, and the rising industrial strength of Europe and Japan as they rebuilt from the ruins of World War II.

But the story Lemann does tell in this part of the book is so revelatory that I'm glad to put such pedantic concerns aside. He introduces us to the anti-Berle: Michael Jensen, the kind of University of Chicago–trained economist who insists that markets are the only fair way to apportion value in a society because they are the only institutions that are rational. Lemann illustrates the peculiar lunacy of this doctrine by relating how the psychologist Amos Tversky once asked Jensen to "assess the decision-making capabilities of his wife." Jensen responded by contemptuously citing a series of economically irrational absurdities she indulged in. Then Tversky asked Jensen about his students,

> and Mike rattled off silly mistakes they made.... As more wine was consumed, [Jensen's] stories got better, [and] Amos went in for the kill. "Mike," he said, "you seem to think that virtually everyone you know is incapable of correctly making even the simplest of economic decisions, but then you assume that all the agents in your models are geniuses. What gives?" Jensen was unfazed. "Amos, you just don't understand."

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from the cacti, fashions me a crown
that asks *Who were you when you weren't blooming only*
for boys? & I recall the night-

blooming cereus, whose bats fly hundreds of miles
one night of the year to sustain themselves
on the sweet nectar, & how many

mornings I missed, how many
dark things I emptied myself for. My daughter
is a graveyard by which I mean ripe

for rebirthing. She pulls me from the beds
I've buried & tells me
if she is wise it's because I've taught her

by which she means
I've held myself deep within
myself all along.

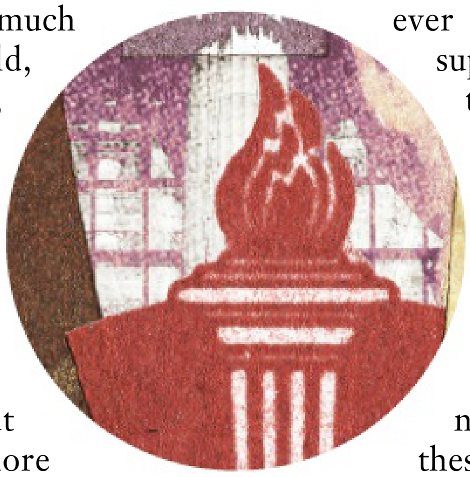
I've plucked bones & swapped
for jackrabbit for woodrat for javelina. O tusks
o glorious horns

I've borne
from daughter, from the un-
mothered loam.

JENN GIVHAN

Behavior like this is why Jensen has had two wives and became estranged from his father and daughters. It also illustrates the sort of errant confidence that he and a generation of financial economists brought to arguments about funding corporations that eventually proved instrumental in so destabilizing the economy.

One of Jensen's major influences was the free-market economist Henry Manne, whose most famous book, *Insider Trading and the Stock Market* (1966), contended that trading on nonpublic information—a crime—was economically efficient and so should not be illegal. The argument by Manne that Jensen seized on and pushed to its furthest extreme was that stockholders should be granted power to enforce on corporate managers the understanding that their very existence depended *only* on maximizing profits for stockholders. To encourage them to behave as full-time profit maximizers and nothing but, companies should take on much more debt. They should, in other words, be much, much more unstable, for well-funded corporate treasuries "permitted chief executives to relax," Lemann writes, "rather than being incessantly, almost desperately worried, as they should be, about making the company more profitable."



Jensen's most influential statement of this idea was a 1976 paper, "Theory of the Firm." Lemann describes it as "long, detailed, [and] formula-filled," which gave it the appropriately cool aura of science, even if it was also a work of moral dementia. CEOs, the paper argued, were wasting far too many corporate resources on things like "the physical appointments of the office," "the attractiveness of the secretarial staff," and "personal relations ('love,' 'respect,' etc.) with employees," all mere distractions from the only value that mattered. "Love," "respect"—no wonder, you imagine Jensen tut-tutting, these irresponsible fools thought twice about decimating entire towns rather than just doing their jobs maximizing shareholder value.

But Lemann overstates the responsibility of Jensen and his colleagues in the changes that took place in the 1970s and '80s. When corporate managers increased the number of workers illegally fired for union activity, from 3,779 in 1970 to 8,529 in 1980, their attention to articles in the *Journal of Financial Economics* likely had nothing do with it. But Lemann isn't wrong in asserting that the "new financial economics" that Jensen and his peers helped launch undeniably contributed to it. They not only provided the intellectual justification for things like paying corporate officials in stock but also invented the sophisticated mathematics behind index funds that tracked the entire stock market, making it much easier to create a mass market for stocks and bonds, and greatly increased the number of people who had a stake in bigger corporate profits. And they innovated fancy computer-driven financial instruments that left the somnolent olden days in the dust. Just as Jensen wished, corporations learned to abjure stability and love exotic forms of debt, and the companies that sold debt—like Morgan Stanley, whose staff ballooned from 2,600 to over 60,000 between 1983 and 2018—rose to the occasion, providing ever more innovative ways to supply it (even as a skeptic of these developments, then–Federal Reserve chair Paul Volcker, huffed in 2009 that there hadn't been a useful financial innovation since the automated teller machine).

Lemann does a very nice job explaining many of these baffling innovations, taking us again inside Morgan Stanley's offices to meet the men and now, mirabile dictu, the women at the controls. But he best illustrates the cult of instability behind these changes with a story. A top Morgan executive (an enlightened one, as it were: "he demonstrated his commitment to the advent of diversity at Morgan Stanley by offering free golf lessons to women and minority employees") was rewarded, after a particularly lucrative transaction, with "a smashed telephone headset, of the kind an amped-up trader might create in the heat of a big trade, encased in Lucite as a parody of the old tombstone-ad souvenirs."

This could not have happened without the dismantling of the regulatory regime that Berle and other New Dealers put in place in the 1930s—laws like Glass-Steagall, which Clinton signed out of existence with the announcement that "this is a very good day for the United States." Its repeal opened a Pandora's box, returning America to the pre–New Deal days when corporate finance was characterized, as one of Berle's mentors put it, by "prestidigitation, double shuffling, honey-fugling, hornswoggling, and skullduggery." The difference is that our new age of prestidigitation and honey-fugling was intellectually underwritten by a set of doctors of economic philosophy who managed to convince a generation of Democrats that all of this was not just lucrative but also progressive. The flow of dollars, they explained, was really the most democratic way to judge what was worthwhile in society. If dollars kept flowing toward something, that something must be worthwhile in and of itself, and if that something was an exotic financial instrument, its riskiness need not be of much concern because the risk was already priced into it—making it that much harder for them to anticipate the sort of cascading, system-destroying failure that happens when, as history shows they eventually always do, highly leveraged financial instruments fail.

Nowhere is Lemann more enraging than in his description of what he found deep in the bowels of the William Clinton Presidential Library. One example: an eye-opening memo from junior staffers at the Council of Economic Advisers, who were astonished by an Office of Management and Budget report that concluded banking regulation had "cost" the United States roughly $5 billion. "No attempt is made in the report or in the studies it cites to estimate the benefits of regulation of financial markets," the memo states. Another memo recorded what happened after Brooksley Born, then the head of the Commodity Futures Trading Commission, exercised her jurisdiction to regulate the new $28 trillion market in derivatives (another invention of Jensen's colleagues in the field of financial economics). She pointed out that if the assets these derivatives were built on were not accurately priced (for example, dodgy home mortgages), the whole financial system could be destabilized. But she simply didn't understand, then–Federal Reserve chairman Alan Greenspan explained: "Economics should inform these decisions." Treasury Secretary Rubin was recorded complaining that the "financial community" was "petrified" and that he would simply proceed as if she didn't have the jurisdiction she claimed. His colleague Larry Summers followed up with a phone call to Born threatening that "if she moved forward… she would be precipitating the worst financial crisis since the end of the Second World War."

Lemann grounds the consequences of all these high-flying transformations in the experience of a single Chicago neighborhood known as Chicago Lawn. This was where Martin Luther King Jr. was struck by a rock when he led marches for open housing in 1966. Subsequently, in Lemann's telling, Chicago Lawn settled into a humble but stable existence as a mixed-ethnicity neighborhood that one of his guides, the former owner of a Buick dealership, remembers as being an "Eden"—but one that, in the wake of all this new financial prestidigitation, suffered decades of deindustrialization.

Was Chicago Lawn ever an Eden? Surely not; nostalgia is a kindness we overlay on a complicated past. But it's hard not to be impressed by the scene that Lemann paints of one of its institutions, Talman S&L, a "grand block-long building at Fifty-Fifth and Kedzie that was the largest savings and loan office in the country," on Friday nights. Payday was almost a party, a hive of convivial conversations carried out on couches that the owner provided for the occasion. Sometimes he even hired a band. Institutions like Talman filled out a virtuous cycle: Wages earned at the Chicago Lawn outposts of the great blue-chip corporations became savings; savings deposited at Talman were invested in mortgages, not dodgy financial instruments; and mortgages made for safe and stable neighborhoods that prospered and thrived. The reason this worked was government regulation—including one in Illinois that barred financial institutions from operating in more than one location in the state. This meant that banks served their communities, not transnational circuits of hot money.

Then what became of Chicago Lawn? Imagine Berle's horse, boiled for glue. "The market for corporate control that Michael Jensen had promoted so enthusiastically affected all the major private employers in the neighborhood, always in the same way: fewer jobs." An American Can Company factory, a Kool-Aid plant, one that manufactured water heaters, a Sears branch, a Nabisco cookie plant "whose towering factory on South Kedzie was a neighborhood landmark and the largest private employer"—all were victims of the age of transaction.

The Buick dealership, which boasted "an overwhelmingly black clientele, a black manager, and a union shop with lots of black employees," survived for a time; the owner adjusted to the neighborhood's straitened circumstances by selling more used cars and by putting up a basketball hoop for kids in the neighborhood. Then GM nearly went under, a victim of the credit crunch after the 2008 crash—and the fact that it had turned itself into one more company that relied for its health on selling debt. The Obama administration's auto bailout was devised by financier Steve Rattner, who demanded the shuttering, without warning, of hundreds of dealerships around the country. Yet the owners of those dealerships successfully petitioned their congressional representatives for a reprieve, much to Rattner's astonishment. Figures on a balance sheet aren't supposed to talk back, and to see Congress pay so much attention to their pleas left him, as he noted in his autobiography, "mystified." But the Chicago Lawn Buick dealership went under anyway, largely, it seems, because GM loaded it down with so many financial obligations (for example, demanding a redesign and renovation of the dealership by a GM-approved architect). So that was that. The neighborhood institution is now a Wendy's, after years as a vacant lot.

The most moving parts of *Transaction Man* take us inside the struggles of Chicago Lawn's priests, community organizers, and ordinary neighbors to manage the wreckage. Many of them not infrequently become wrecks themselves. Earl Johnson, the "unofficial mayor of the 6300 block of South Rockwell," was almost arrested by cops demanding to know why he was sitting in his car. "Before it all died down, the police had beaten up Earl's brother." In another case, he was sitting in his backyard with neighbors when they were set upon by an armed young marauder, whom Earl attempted to subdue. In the midst of that, "one of the boy's friends came up, plucked out the gun, and shot Earl in the back. "Between the gangs and the police," he had finally had enough. He moved to a small town in Indiana and got a job at a plant that happened to produce police cars.

Jensen also undergoes a transition in the period covered by the book, although it's almost too absurd to believe. After the economy collapsed in 2008 for many of the same reasons it did in 1929 (unregulated, hyperleveraged hornswoggling), he revisited his earlier academic work and decided that the only reason his theories didn't work was that economic actors had not yet learned to act rationally. To remedy this, they must study, as Jensen now does with frantic devotion, the ideas of Werner Erhard, the founder of a 1970s self-help cult. If enough people internalized Erhard's ideas—taught in seminars with titles like Being a Leader and the Effective Exercise of Leadership: An Ontological/Phenomenological Model—then, as Lemann paraphrases his subject, there would be "a benign revolution in human affairs" and "soon people would prove, with rigorous, quantitative research, that companies adhering to [Jensen's] idea of integrity performed far better economically than companies that did not. That this had not happened yet did not affect his certitude."

Reading about Jensen moving around the globe preaching New Age babble in order to redeem the failings of another set of fraudsters his ideas helped enable in the first place, it's hard to discern what is goofier: that or the ideas that made him one of the most influential economists on planet Earth.

Transaction Man has a final profile, of Reid Hoffman, the founder of the job seeker's social network LinkedIn. This profile is incredibly illuminating. Better than I ever did before, I now understand how closely the Silicon Valley business model, whose architects somehow believe themselves to be leading us to a New Jerusalem, resembles what is politely referred to as multilevel marketing or, to put it more bluntly, a pyramid scheme. In this new iteration of corporate finance, investors shovel money to disrupters in fantastical amounts, even though the vast majority of them will fail. One study Lemann cites found that among venture capital recipients (who constitute the cream of the crop, since the vast majority of supplicants receive no funding), three-quarters will fail.

The only possible way such investing could make sense is if the venture capitalists are placing bets that they will someday buy into a monopoly; indeed, it is only at a monopoly-like scale of market domination that a social network company can hope to make money at all. So we're back where we started: aggregations of capital in the hands of a few individuals and corporations controlling, for their profit and exclusive advantage, the sale of certain necessities of life—in this case, our social relationships, the ties that bind, the very stuff of psychic life itself.

Meanwhile, the material world grinds on. In destitute Chicago neighborhoods, social media has become one more factor in the world Polanyi warned we might get if society failed to restrain the destructive forces of the market and profit maximization. Two sample headlines: "Fatal Chicago Shooting Captured on Facebook Live"

Immigrant Song

Bitter Mother

Blue, dead, rush of mothers,
conceal your island, little star.

Trains, hands, note on a thread,
Poland's dish of salt.

They said, The orphanlands
of America
promise you a father—

The ship's sorrows, broken daughter,
the ocean's dark, dug out.

Silent Father

Rain, stars, sewage in the spill,
hush the river.

In your black boat, broken snake,
you hid. You sailed

for the meritlands of America,
dumped your name in the black
water—

In the village they pushed the Rabbi
to the wall—someone
blessed the hunter.

Angry Daughter

One says No and the other
says nothing at all—

Chicago, I will live in your museums
where Europe is a picture on the wall.

Obedient Child

I concealed my island,
my little star.

In my black boat I hid.
I hid in pictures on the wall.

I said, I am here in America,
your hero, your confusion,

your disappointment after all.
They said,

How did you end up so bad
in a country this good and tall.

DANA LEVIN

and "Chicago 'Gang Member' Streams His Own Shooting Death." But after telling Hoffman's story, the book does not take us back to Chicago Lawn. Instead, *Transaction Man* peters out with one of those short How to Solve It All chapters that publishers love to insist must be tacked onto books about social problems.

Perhaps the reason for this is that Lemann ran out of pages or, possibly, time. If so, it's a bad break, because this summer, as his book went to press, history provided him the material for another, more interesting conclusion. The Business Roundtable, an organization founded in 1972 whose membership consists solely of the chief executive officers of some 200 of America's biggest corporations (including Citigroup, where Robert Rubin went to work after his government service), announced that it was "modernizing its principles on the role of a corporation." A press release noted that since 1997, each of the Roundtable's periodic statements on the principles of corporate governance had insisted "that corporations exist principally to serve shareholders." That, the Roundtable now claims, "does not accurately describe the ways in which we and our fellow CEOs endeavor every day to create value for all our stakeholders, whose long-term interests are inseparable."

This new manifesto pledged the group to work toward an "economy that allows each person to succeed through hard work and creativity and to lead a life of meaning and dignity." The bullet points enumerate the many goals that the signatories are committed to, such as "delivering value to our customers," "investing in our employees," "dealing fairly and ethically with our suppliers," "supporting the communities in which we work," and—last and (we are very much meant to assume) least—"generating long-term value for our shareholders."

Somewhere, Milton Friedman must be weeping. *The Wall Street Journal* certainly is: "These CEOs are fooling themselves if they think this new rhetoric will buy off [Elizabeth] Warren and the socialist left," its editorialists replied. "It may even embolden them by implying that corporate rules that require a focus on achieving value for shareholders are somehow morally insufficient." Whether the Business Roundtable can be trusted in these representations is, of course, the most open of questions. But in the meantime, I can't imagine a better way to grasp the immense difficulties that will be involved in any thoroughgoing revision of the purpose of corporations than by reading this book. ■

LIZ PHAIR
BEASTIE BOYS
NINA
NEWPORT
RECORD

ZOË KRAVITZ IN *HIGH FIDELITY* (PHILLIP CARUSO / HULU)

BROKEN RECORDS

Hulu's *High Fidelity* reboot

by JULYSSA LOPEZ

In the first few pages of Nick Hornby's 1995 novel *High Fidelity*, Rob Fleming—the surly, music-obsessed protagonist and owner of a London record store—compiles a list of his five greatest heartbreaks and mentally taunts his ex-girlfriend Laura that she hasn't made the cut. Though he's obviously pained about their recent breakup, he insists that the women from these prior relationships have left a greater mark on him. She should have gotten to him earlier, he says. "Those days are gone, and good fucking riddance to them; unhappiness really meant something back then."

Unhappiness really meant something back then. The idea fuels Rob's backward effort to contact the women on his list and mine them for insights about why he's "doomed to be left" rather than to change any of his behavior. The novel had some elements of self-awareness and satire built into Rob's terribleness, but a 2000 film starring John Cusack and directed by Stephen Frears boosted Rob further into the realm of beloved antihero. And a weird cultural nostalgia that mirrors Rob's romanticization of the past has fixed *High Fidelity* as a cult favorite that offers a portrait of '90s angst and so-called male complexity, despite the fact that the protagonist was, as *Vice* put it in 2018, "a sociopathic womanizer, a stalker ex, and a shitty boyfriend" who "created a hero for a generation of sociopathic 'nice guys.'"

Nostalgia has lured us back to previous decades for content ideas, just in case there's some detail we overlooked the first time around. So far, TV reboots have included everything from *One Day at a Time* to *Dynasty* to *Sabrina the Teenage Witch*—and perhaps it was only a matter of time before Rob was resurrected from his pile of dusty records and misery. Disney announced in 2018 that it was developing a series based on the film, with producers and writers Veronica West and Sarah Kucserka at the helm. The update would boast a few key differences: This would be the millennial take, with actress Zoë Kravitz playing a female version of Rob operating a vinyl shop in Brooklyn's Crown Heights. (Coincidentally, Kravitz's mother, Lisa Bonet, had a role in the film as one of Rob's love interests, the musician Marie De Salle.)

The series, which premiered on Hulu on Valentine's Day, wrestles with what it wants to achieve via its gender flip. On the one hand, Kravitz's charisma gives

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viewers a cooler character to root for; her Rob is still selfish but more stoic and self-sabotaging than purely reprehensible. The reboot breaks out of some of the original male centeredness and whiteness, and it invests time and care into a few characters beyond Rob. Nevertheless, it holds back and doesn't follow through on its risks, focusing on style over substance and doing a bit too much to ensure that Rob stays likable. The creators also rely on bland rom-com tropes, such as a half-hearted love triangle, to make it through 10 glossy episodes. That's a shame, because the show is bingeable, and it could have been enough to eclipse the earlier and more grating iterations of the source material.

Kravitz's Rob kicks off the series by reciting her top five heartbreak list directly to the camera, something Cusack also did in the film to capture the book's style of inner monologue. Viewers are immediately thrown into the end of Rob's relationship with her boyfriend, Mac McCormack (Kingsley Ben-Adir). As Mac leaves their shared apartment, she breaks down in tears. (There was no crying from Rob in either the novel or the film.) The episode picks up again a year later: Rob is approaching the split with sullen apathy, going through the motions at the record shop she runs with the help of Simon and Cherise, the 2020 answers to Rob's previous sidekicks, Dick and Barry. The characters reflect far more diverse stories than *High Fidelity* previously allowed. Simon (David H. Holmes) doubles as Rob's ex-boyfriend, who realized he was gay while dating her, and an episode is dedicated to his experience navigating the queer scene in New York. Da'Vine Joy Randolph's bright, sardonic Cherise keeps the mood from getting too downcast in the shop between Simon's reticence and Rob's brooding. As Rob's older brother, Rainbow Francks provides a window into how hard it is to commit, grow up, and settle down—all things that make Rob recoil.

Kravitz, who is also an executive producer on the series, balances edginess and vulnerability in her performance. Her Rob tries to get over Mac by dating a musician named Liam (the male version of Marie) and a befuddling, puffer-vest-wearing new character named Clyde. He's played with earnestness by Jake Lacy, and his nice-guy persona is meant as a foil to Rob's mordant detachment. Unfortunately, his lacrosse bro looks are out of place next to Kravitz in such an intensely curated version of Brooklyn. Appearances are a big deal here: Kravitz called the four-time Oscar-winning costume designer Colleen Atwood directly to work on the '90s-inspired outfits, and even the grungy record shop is bathed in romantic neon lighting. Clyde, a transplant from Colorado, could have perhaps helped the show say something tangible about gentrification—a topic that West and Kucserka have said they wanted to tackle—but he doesn't, and the show's nods to the issue get lost among all the sleek camera angles.

Rob's forays into dating and her run-ins with Mac make up most of the action. The visits to exes, which informed much of the book and the film, have been relegated to only one full episode and the tail end of another. Viewers meet former lovers like Kat Monroe, an over-the-top social media influencer Rob dated at one point. She tells Rob she's been getting a lot of calls from another ex who wants to unearth the past and that everyone seems to be going through these "'What does it all mean?' trips." Rob is indeed going through one of those trips, but the reboot is interested in where it takes her romantically. Though her love life makes for good television, it's also compelling to see Rob navigating the vinyl world, which has mostly been the dominion of white men.

The writers unearth one moment from the book that involves Rob meeting a woman determined to sell her sleazy husband's trove of "unicorn" records for $20. Rob discovers firsthand that the husband is awful, and yet she won't buy the records out of integrity, as well as a partial fear that one day someone will decide there's music she doesn't deserve. In the novel, the exchange was more about Rob feeling "desperately, painfully sorry" for a fellow "bad guy." As good as the scene is in the show, the jackpot record collection underscores some uninspired musical choices. While many of the selections—including a copy of the Beatles' *Yesterday and Today* with the banned bloody-baby cover and an original pressing of David Bowie's *The Man Who Sold the World*—are undeniable classics, they're outdated and align with what the white male version of Rob would have liked rather than the esoteric gems a former DJ in Brooklyn would be into today. Also, Kravitz's Rob isn't allowed the intense level of musical snobbery central to earlier versions. At one point, she looks ready to eviscerate Clyde and his basic taste for Fleetwood Mac, but instead she provides a nice and insightful defense of the band's album *Tusk*.

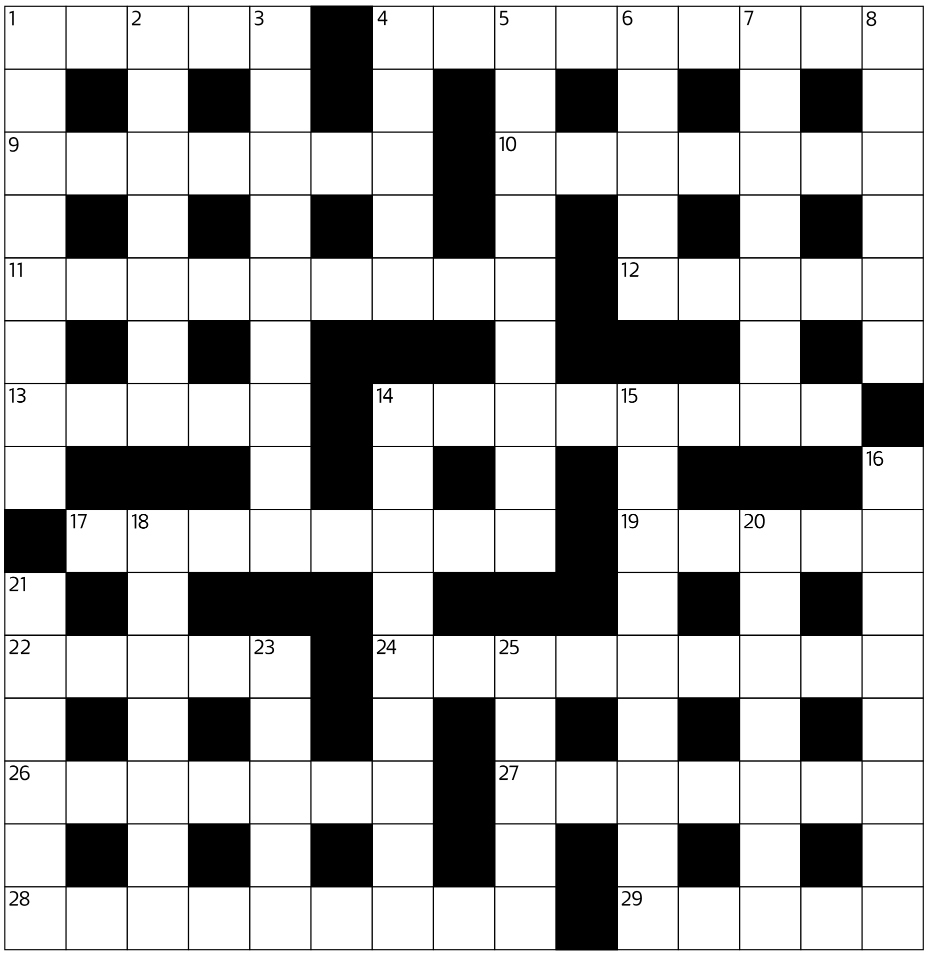
This Rob has a moral center. She's a mess, but she's remorseful. She feels particularly guilty about Mac and reveals later in the series that she cheated on him just before they got engaged—events that are far more sanitized than what the male Rob did. (In the novel, he cheated on Laura when she was pregnant, which led her to get an abortion, then borrowed a large sum of money from her that he never paid back, and finally told her that he was "kind of sort of maybe looking around for someone else.") A more self-aware Rob is able to show more personal growth: When she's been a bad friend to Cherise, she offers a conciliatory gift; later, she tries to start over with Clyde after admitting her flaws to him (though that particular scene reads a bit forced, given how little she seemed to actually like him, and it slightly undermines her independence). While no one will miss the misogyny of the original character, the gender flip, in some ways, makes the female character a redemption of Rob. The changes raise the question of why she's more apologetic and noble when, as a male, Rob was given space to be unabashedly idiosyncratic.

Elsewhere, the show makes good use of the specificity of our current times. An egotistical male protagonist has finally gone out of style, but the existentialism and dissatisfaction of early middle age are alive and well, particularly among a restless, economically frustrated generation. Discontent feels especially intense, thanks to filtered images of supremely happy, smiling people on social media, and Kravitz's Rob nails millennial gloominess and the habit of comparing oneself to others when she's scrolling through Mac's Instagram on her cracked phone in the masochistic hope of seeing pictures of his new girlfriend. However, despite the tendency to romanticize the ennui of the '90s or exaggerate the despair of the Internet era, the series reinforces how the "What does it all mean?" thing that Kat mockingly calls out can look pretty similar across the decades.

In the book and the film, Laura and Rob get back together after a tragedy, in what can be seen as a sad capitulation. This series is much more focused on making Rob learn from her mistakes, and an ambiguous ending is both a sign of some progress as well as a set-up for a potential second season. The decision to take Rob down the self-improvement route is a touch more hopeful and perhaps the biggest millennial marker of all. ■

Puzzle No. 3527

JOSHUA KOSMAN AND HENRI PICCIOTTO



ACROSS

1 Invest a bit of money in trade for wetland (5)

4 Prize in the direction of Harding? (4,5)

9 Conditions color political reporter (1,1,5)

10 Turtle missing quiet landscape (7)

11 clue in is It messed sure this up (4,5)

12 Jobs ultimately provide checks in a recession (5)

13 DeLillo pursues commercial extra (3-2)

14 "Be *there* now!" is the inversion of a small cliché? (8)

17 It cuts vegetable with speed (8)

19 Apple turnover for a guy with a famous razor? (5)

22 Review quote about Allah's last set of moral principles (5)

24 Corrupt individual protects leader of Thessaloníki with $1,000 (2,3,4)

26 On reflection, bail on nachos, eating dessert (7)

27 Rejoiced in time amid retro, sumptuous surroundings… (7)

28 …near breakup of conspicuous two-day trip (9)

29 Animal gusto died (5)

DOWN

1 Work one million into promise for beach attire (8)

2 Confident fool, terribly rude (7)

3 Articulate expert overseeing novice, at first a lightweight (9)

4 Initially, trombone and bassoon, e.g., put in a corner (5)

5 Mass meeting supports tuna salad, of course (9)

6 Measures those in pain, it's said (5)

7 In the morning, a true catastrophe for dilettante (7)

8 "Jeopardy!" ranged all over the place (6)

14 Customization of rear gasket (9)

15 Imperfectly reproduce an operation (9)

16 Asner and McMahon holding Sheeran south of Manitoba within a military unit (8)

18 Improve final probability when Washington is cut out (7)

20 Spooner's martial art: making a drink (4,3)

21 Mutant clover that gets attached (6)

23 Sing beginning and end of cover, with nothing on (5)

25 Council site with start of temporary lease (5)

SOLUTION TO PUZZLE NO. 3526

ACROSS **1** DUB + A + I **4** TO(OK + PIT)Y **9** anag. **10** hidden **11** TAR + GET + PR(ACT)ICE **14** T[h]E + AMP + LAYER **17** TI(TOP + UENT)E (*tune* anag.) **19** I + DOL (anag.) **22** TRA + DEPA + PER rev. **25** DUE + T.S. **26** TI TLEP (rev.) + AGE **28** TE(APART)Y (*yet* rev.) **29** theme revealer

DOWN **1** initial letters **2** anag. **3** IMP + UGN (anag.) **4A** & **13** TEL + AVIV (rev.) **5** [h]OTTER **6** anag. **7** TERR(IF)Y **8** CERE(BR)AL **12** T-HERE **13** anag. **15** MATTE[l] **16** S(PEED)SUP (rev.) **18** TRAP + "ease" **20** DU + CHAMP **21** A + BLEST **23** [m]ASTER **24** JET + E **27** alternate letters

D	U	B	A	I	■	T	O	O	K	P	I	T	Y	■
O	■	A	■	M	■	E	■	T	■	I	■	E	■	C
T	E	S	T	P	I	L	O	T	■	N	E	R	V	E
S	■	M	■	U	■	■	■	E	■	O	■	R	■	R
■	T	A	R	G	E	T	P	R	A	C	T	I	C	E
■	■	T	■	N	■	H	■	■	■	H	■	F	■	B
A	V	I	V	■	T	E	A	M	P	L	A	Y	E	R
P	■	■	■	S	■	R	■	A	■	E	■	■	■	A
T	I	T	O	P	U	E	N	T	E	■	I	D	O	L
I	■	R	■	E	■	■	■	T	■	A	■	U	■	■
T	R	A	D	E	P	A	P	E	R	B	A	C	K	■
U	■	P	■	D	■	S	■	■	■	L	■	H	■	J
D	U	E	T	S	■	T	I	T	L	E	P	A	G	E
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US CIVIL RIGHTS: ON THE ROAD TO FREEDOM

Jackson, Little Rock, Memphis, Selma, Birmingham, and Montgomery

OCTOBER 18–25, 2020

The civil rights movement is one of the most significant chapters in our country's history. Over a half-century after the murder of Dr. Martin Luther King Jr., it is time for our nation to reflect on how far we've come and how much remains to be accomplished. While we confront increasingly racialized violence, emboldened white nationalists, and a morally bankrupt president, we can look back to the victories of the past and to the hundreds of thousands of brave Americans who fueled this history-altering movement, fighting—and too often dying—for the cause of equality.

For those working toward social justice today, there are great lessons to be learned from the civil rights movement, in which a profound demonstration of commitment and courage succeeded against all odds. In the words of Dr. King, "The arc of the moral universe is long, but it bends toward justice."

Join host **André Robert Lee**, acclaimed filmmaker and educator, and travel in the company of like-minded progressives on this journey to **Jackson, Little Rock, Memphis, Selma, Birmingham,** and **Montgomery**. Along the way we will visit iconic sites and meet people who were directly involved in the historic civil rights movement.

100% of the proceeds from our travel programs support *The Nation*'s journalism.

For more information, visit TheNation.com/**CIVIL-RIGHTS**,
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